

CHAPTER 1705
BOARD OF ANIMAL HEALTH
DISEASES OF DOMESTIC ANIMALS

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ANTHRAX

1705.0010 TREATMENT OF CARCASSES.

The carcass of a domestic animal that may have died of anthrax, is not to be opened or rendered, but must be cremated. If any blood or excrete comes from any carcass, the material and the ground must be scraped up and burned.

Statutory Authority: *MS s 35.03*

History: *27 SR 1174*

1705.0020 TREATMENT OF BUILDINGS.

If any animal dies of anthrax in any building, the building must be cleaned and disinfected, according to the manner ordered by the board or its duly authorized agent.

Statutory Authority: *MS s 35.03*

History: *27 SR 1174*

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1705.0030 NECROPSY.

No one may necropsy the carcass of any animal dying suddenly when there is anthrax in the area unless authorized by an agent of the board.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279; 27 SR 1174*

1705.0040 NOTIFICATION OF BOARD.

Any person who suspects an animal may have died of anthrax, or has knowledge of this disease in any animal, shall immediately notify this board.

Statutory Authority: *MS s 35.03*

History: *L 1987 c 309 s 24; 17 SR 1279; 27 SR 1174*

1705.0045 QUARANTINE.

A. A herd with an animal that died of anthrax must be quarantined.

B. Quarantine must not be released until at least 30 days after the last death due to anthrax.

Statutory Authority: *MS s 35.03*

History: *27 SR 1174*

1705.0050 PRECAUTIONS TO BE OBSERVED.

The board shall maintain recommended standard operating procedures for the treatment of all domestic animals on contaminated premises. "Contaminated premises" means the area where an animal died of anthrax.

Statutory Authority: *MS s 35.03*

History: *27 SR 1174*

BOVINE BRUCELLOSIS IN CATTLE

1705.0060 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1705.0060 to 1705.0530.

Subp. 1a. **Board.** "Board" means the Minnesota Board of Animal Health or its authorized agent.

Subp. 2. **Cattle.** "Cattle" means both bovine and bison.

Subp. 2a. [Repealed, 23 SR 883]

Subp. 3. **Exposed cattle.** "Exposed cattle" means cattle that are part of a known affected herd or have been in contact with brucellosis reactors in marketing channels regardless of the blood test results.

Subp. 4. **Herd.** A "herd" is all cattle under common ownership or supervision that are grouped on one or more parts of any single premises, or all cattle on two or more premises geographically separated but on which the cattle have been interchanged, or where there has been contact of cattle between the premises.

Subp. 5. **Infected herd.** "Infected herd" means one in which one or more reactors were diagnosed on the last test or which is under an infected herd quarantine.

Subp. 6. **Market cattle test or MCT.** "Market cattle test" or "MCT" means a brucellosis test conducted on marketed cattle.

Subp. 7. **Official brucellosis calftlood vaccinate.** "Official brucellosis calftlood vaccinate" means female dairy cattle under 20 months of age and female beef cattle under 24 months of age vaccinated against brucellosis using a United States Department of Agriculture licensed *Brucella abortus* vaccine while they are from four to 12 months (120 to 359 days) of age.

Subp. 8. **Owner.** "Owner" means the legal owner, the owner's agents, and the person in possession of or caring for the cattle.

Subp. 9. **Negative.** "Negative" means official dairy vaccinates 20 months of age and over and beef vaccinates 24 months of age and over with brucellosis test titers not higher than complete agglutination at a 1:50 dilution on the standard plate test or standard tube test unless diagnosed suspect or reactor on the basis of a United States Department of Agriculture approved confirmatory test; cattle negative to the buffered acidified plate antigen test when no other tests are performed; cattle negative to the rapid automated presumptive test when no other test is performed; cattle more than six months of age when the standard plate test or standard tube test discloses reactions of not more than complete agglutination in the 1:25 dilution, if performed; are negative to the brucellosis card test, if performed; disclose 25 percent fixation or less (1+) at the 1:10 dilution on the complement fixation test, if performed; or disclose less than complete agglutination at the 1:25 dilution on the rivanol plate agglutination test, if performed; are negative to the rapid automated presumptive test when no other tests are performed. The board may accept variations when an epidemiological investigation indicates *Brucella abortus* infection is present. A diagnosis of suspect or reactor will then be accepted.

Subp. 10. **Negative herd.** "Negative herd" means one in which no reactors or suspects were diagnosed on the last test and which is not under an infected herd quarantine.

Subp. 11. **Reactor.** "Reactor" means official vaccinates of dairy breeds 20 months of age and over and official vaccinates of beef breeds 24 months of age and over (as evidenced by the presence of the first pair of permanent incisor teeth) or official vaccinates under these ages that are parturient (springers) or postparturient when they disclose complete standard plate test or standard tube test agglutination reactions in the blood titer dilution of 1:200 or higher; positive to the brucellosis card test where it has been the only test conducted; disclose titers of 25 percent fixation (1+) in a dilution of 1:40 or higher on the complement fixation test, if it is performed; disclose a complete agglutination reaction in the 1:25 dilution or higher on the rivanol test, if it is performed; all other cattle more than six months of age when they disclose a complete agglutination reaction in the blood titer dilution of 1:100 or higher on the standard plate test or standard tube test; are positive to the brucellosis card test where it has been the only test conducted; disclose titers of 50 percent fixation (2+) in a dilution of 1:20 or higher on the complement fixation test; disclose a complete agglutination reaction in the 1:25 dilution or higher on the rivanol test; found infected by isolation of *Brucella abortus* microorganisms; and cattle which show an increasing titer on consecutive tests.

The board may accept variations when an epidemiological investigation indicates *Brucella abortus* is not present. A diagnosis of a suspect will then be accepted.

Subp. 12. **Ring test.** "Ring test" means the brucellosis agglutination test (BRT) of milk or cream.

Subp. 13. **Suspect.** "Suspect" means:

A. official vaccinates of dairy breeds 20 months of age or over and official vaccinates of beef breeds 24 months of age and over (as evidenced by the presence of the first pair of permanent incisor teeth), or official vaccinates under these ages that are parturient (springers), or postparturient when they disclose any standard plate test, or standard tube test agglutination reactions in the dilution of 1:100, or incomplete agglutination in the 1:200 dilution;

(1) vaccinated cattle serologically negative to the standard plate test or standard tube test but which are positive to the brucellosis card test, if it is performed;

(2) vaccinated cattle having less than 25 percent fixation (1+) in a dilution of 1:40 and 50 percent (2+) or more in a dilution of 1:10 to the complement fixation test, if it is performed;

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B. all other cattle more than six months of age when they disclose any standard plate test, or standard tube test agglutination reactions in a blood titer dilution of 1:50, or incomplete agglutination in the 1:100 dilution;

(1) cattle serologically negative to the standard plate test or standard tube test but which are positive to the brucellosis card test, if it is performed; and

(2) cattle having less than 50 percent fixation (2+) in a dilution of 1:20 and 50 percent fixation (2+) or more in a dilution of 1:10 to the complement fixation test, if it is performed.

The board may accept variations when an epidemiological investigation indicates *Brucella abortus* is not present. A diagnosis of negative will then be accepted. When an epidemiological investigation indicates *Brucella abortus* infection is present, a diagnosis of reactor will be accepted.

Subp. 14. **Suspect herd.** "Suspect herd" means one in which one or more suspects but no reactors were diagnosed on the last test and which is not under an infected herd quarantine.

Subp. 15. **Test and testing.** "Test" and "testing" mean blood samples shall be collected and submitted by a veterinarian. Standard plate test or other field tests approved by the board may be made by a veterinarian approved by the board to conduct field tests.

All blood samples accompanied by test charts in triplicate with results of field test recorded shall be submitted to a state or state-federal laboratory to confirm the field test. The laboratory test shall be the official test if there is more than one-half titer variation between the laboratory test and the field test.

Tests used at the state or state-federal laboratory shall include the buffered acidified plate antigen test (BAP), rapid automated presumptive test (RAP), standard plate test (SPT), card test (BBA), standard tube test (STT), rivanol test (RIV), complement fixation test (CF), and other tests approved by the board.

Subp. 16. **Veterinarian.** "Veterinarian" means a veterinarian licensed and accredited in Minnesota or a veterinarian of the United States Department of Agriculture.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *8 SR 1659; 17 SR 1279; 23 SR 883*

1705.0070 HERDS INFECTED WITH BOVINE BRUCELLOSIS.

Veterinarians shall report to the board all herds infected with bovine brucellosis or suspected of being infected with bovine brucellosis. The board may demand tests of infected herds, or cattle diagnosed as suspect, or exposed cattle, or herd of origin of market cattle test reactors, or brucellosis ring test positive herds, or any cattle when necessary for the eradication of bovine brucellosis, and the owner or the owner's agent shall present them and assist with the testing.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1705.0080 TESTING.

All cattle over six months of age shall be eligible for test except: steers; spayed heifers; official dairy vaccinates under 20 months of age and beef vaccinates under 24 months of age which are not parturient or postparturient; feeding cattle in a dry lot area without pasture or grazing facilities; feeding cattle of beef type and breed imported into the state on special permit, and maintained under quarantine; feeding cattle of beef type and breed sold under affidavit when under 18 months of age and maintained under quarantine. The board may test all cattle in infected herds.

Statutory Authority: *MS s 35.03*

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1705.0090 BLOOD SAMPLES.

Blood samples shall be collected by a veterinarian at the owner's expense unless the board or cooperating agency authorizes collection of blood samples at state or federal expense.

Statutory Authority: *MS s 35.03*

1705.0100 IDENTIFICATION OF TESTED CATTLE.

Cattle tested shall be individually identified by an official ear tag with the Minnesota prefix inserted in the right ear, registry tattoo, registry number, or a private ear tag inserted by the owner or the owner's agent which individually identifies each animal in the herd.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1705.0110 RETESTING.

Suspects, exposed cattle, and infected herds shall be retested at approximately 30-day intervals.

Statutory Authority: *MS s 35.03*

1705.0120 REACTORS.

Reactors are to be identified and appraised upon demand within 15 days of the test date, and with an official reactor tag in the left ear and a "B" hot brand at least two by two inches on the left hip high on the tailhead. Reactors must be sold within 15 days of appraisal for slaughter only, with a shipping permit. The time intervals may be extended by the cooperating state and federal officials for reasons mutually accepted.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1705.0130 QUARANTINES.

Quarantines shall be established on all cattle in infected herds confining all cattle to the premises where tested and restraining them from water courses by fencing and from contacting adjacent herds. Cattle diagnosed suspect, or exposed cattle other than those in infected herds, or herd of origin of market cattle test reactors shall be quarantined to premises where tested or herd of origin.

Statutory Authority: *MS s 35.03*

1705.0140 NOTICE OF BRUCELLOSIS QUARANTINE.

The board shall serve written notice of the brucellosis quarantine on the owner either personally or by mail to the owner's post office address as on the test chart.

Statutory Authority: *MS s 35.03*

1705.0150 RELEASE OF INFECTED HERD QUARANTINE.

Infected herd quarantines will be released after two consecutive negative herd tests, the first conducted at least 30 days after slaughter of all reactors, and the second test not less than 180 days following the removal of all reactors. An additional blood test of all test-eligible cattle in the herd shall be made not less than six months nor more than 12 months after release of an infected herd quarantine.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1705.0160 EXCEPTION TO INTERVALS BETWEEN TESTS.

Exceptions to intervals between tests are allowable when *Brucella abortus* Strain 19 or RB51 organisms have been isolated from the reactor, or all epidemiologic

evidence is consistent with *Brucella abortus* Strain 19 or RB51 infection and not with infection by a field strain of *Brucella*.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1705.0170 SUSPECTS AND EXPOSED CATTLE.

Suspects and exposed cattle other than those in infected herds will be released from quarantine when on the basis of tests and supplemental test results a negative status is allowed, or when suspects or exposed cattle are shipped for slaughter with a shipping permit. If suspects requiring retest are not available, a complete herd test is necessary unless it is determined on the basis of epidemiological investigation that the herd test is not indicated.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1705.0180 QUARANTINES ON HERD OF ORIGIN OF MARKET CATTLE TEST REACTORS.

Quarantines on herd of origin of market cattle test reactors will be released if a herd test disclosed no additional reactors or an investigation indicates no evidence suggestive of *Brucella* infection or exposure thereto.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1705.0190 QUARANTINE ON ENTIRE HERD PENDING FINAL DIAGNOSIS.

A quarantine may be established on an entire herd until a final diagnosis is made when an animal from the herd discloses a reaction to the brucellosis test. An infected herd quarantine shall be established if a reactor diagnosis is made. A quarantine on a herd shall be released if a suspect diagnosis is made.

Statutory Authority: *MS s 35.03*

1705.0200 RESTRICTED AREA QUARANTINES.

Restricted area quarantines may be established by the board when an owner refuses to comply with any part of these rules, confining all cattle to a defined area until the owner complies with the rule.

Statutory Authority: *MS s 35.03*

1705.0210 MOVEMENT OF BRUCELLOSIS QUARANTINED CATTLE.

Brucellosis quarantined cattle shall be sold only for slaughter at establishments where federal meat inspection is maintained, or to public stockyards or state and federal markets approved to receive brucellosis quarantined cattle for sale to such establishments for slaughter and must be accompanied by a shipping permit. Reactors must be identified as provided in part 1705.0120. Exposed cattle moved to slaughter or interstate must be identified with a hot "S" brand at least two by two inches on the left hip high on the tailhead.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1705.0220 MOVEMENT OF BRUCELLOSIS SUSPECTS OR EXPOSED CATTLE.

Brucellosis suspects or exposed cattle may be returned to their herd of origin from markets without being "S" branded if accompanied by a shipping permit or an official brucellosis quarantine.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

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1705.0230 BRUCellosis-NEGATIVE QUARANTINED CATTLE.

Brucellosis-negative quarantined cattle may be moved to other premises of the owner if accompanied by a shipping permit issued by the board.

Statutory Authority: *MS s 35.03*

1705.0240 SHIPPING PERMIT.

The owner shall give the shipping permit to the transporting agent, who shall give it to the consignee or the consignee's agent at the time the cattle are delivered, who shall receipt it and return it to the board. Copies of all shipping permits issued are to be submitted to the board.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1705.0250 INFECTED PREMISES.

Infected premises shall be cleaned and disinfected under regulatory supervision within 15 days following removal of reactors. Extension and exemption may be authorized by the cooperating state and federal officials.

Statutory Authority: *MS s 35.03*

1705.0260 OFFICIAL VACCINATION.

Brucella vaccine must be licensed by the United States Department of Agriculture. Vaccine must be sold to and administered by veterinarians only. Vaccine must be administered by the method and dosage described by the manufacturer or the board.

Brucella abortus vaccine may be administered to female dairy and beef cattle while they are from four to 12 months (120 to 359 days) of age.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *8 SR 1659; 17 SR 1272; 23 SR 883*

1705.0270 IDENTIFICATION OF VACCINATED CATTLE.

Cattle vaccinated must be identified with an official Minnesota vaccination tag in the right ear and a vaccination tattoo in the right ear. If already identified with an ear tag or an individual registration tattoo, an official Minnesota vaccination tag is not required. The vaccination tattoo will include US Registered "Shield and V," which will be preceded by the letter "R" and will be followed by a number corresponding to the last digit of the year vaccination was done.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1705.0280 OFFICIAL MINNESOTA VACCINATION TAGS.

Official Minnesota vaccination tags shall be applied by the veterinarian or under the veterinarian's direct supervision only at the time the vaccination is conducted. Vaccination tags shall not be used for retagging.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1705.0290 RETATTOOING.

Cattle shall not be retattooed with the vaccination tattoo unless a veterinarian obtains a permit from the board. Permits may be issued if the cattle have the same identification as at time of vaccination and the vaccination report is on file at the office of the board.

Statutory Authority: *MS s 35.03*

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1705.0300 REPORTS OF VACCINATIONS.

Complete reports of vaccinations shall be submitted to the board within 14 days of the vaccination on forms supplied.

Statutory Authority: *MS s 35.03*

1705.0310 CATTLE VACCINATED WITH BRUCELLA ABORTUS VACCINE.

Cattle vaccinated with *Brucella abortus* vaccine other than females of authorized ages are not official vaccinates, and, when tested, must be diagnosed as unvaccinated cattle.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *17 SR 1272; 23 SR 883*

1705.0320 AREA PLAN PARTICIPATION.

The ring test must be conducted at least twice a year at approximately equal intervals. Herds with suspicious ring tests must be investigated within 30 days.

The board may collect blood samples for the brucellosis test from breeding cattle two years of age and over at concentration points, locker plants, and slaughtering establishments. Reactors must be traced to herd of origin and the herd investigated within 30 days.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *17 SR 1272*

1705.0330 COMMUNITY NOTIFICATION OF BRUCELLOSIS AFFECTED HERDS.

The board shall notify other owners and caretakers of cattle herds of an affected herd by means of an educational letter delivered through personal contact or by mail within 30 days of the issuance of the quarantine. The board shall determine the size of the notification area. When the infected herd quarantine is released, the herd owners and caretakers shall also be notified within 30 days by an educational letter delivered through personal contact or by mail.

Statutory Authority: *MS s 35.03*

1705.0340 ADJACENT HERD AND EPIDEMIOLOGICALLY TRACED HERD TESTING.

The board may demand tests on adjacent herds, or herds sharing common pasture, having other contact with the affected herd, or herds containing previous purchases from or exchanges with the affected herd. Such herds may be placed under quarantine until the test is completed.

The board may recommend a second test of herds described in the preceding paragraph. If the second test is not made, the veterinarian shall document the reasons the herd was not tested and furnish the owner a copy of such document.

Statutory Authority: *MS s 35.03*

1705.0350 ESTABLISHMENT AND MAINTENANCE OF CERTIFIED BRUCELLOSIS-FREE HERDS OF CATTLE.

An agreement to comply with these rules shall be signed and filed with the board by the owner.

Statutory Authority: *MS s 35.03*

1705.0360 CERTIFICATION.

When at least two consecutive negative herd tests of all eligible cattle over six months of age are conducted not less than ten months or more than 14 months apart,

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the herd will be certified for a period of one year (365 days) and a certified herd certificate issued.

Statutory Authority: *MS s 35.03*

1705.0370 CANCELLATION OF CERTIFICATION.

Certification will be canceled if: additions to the herd are made contrary to part 1705.0380; if two or more reactors are disclosed in the herd; and if only one reactor is disclosed, the certification is suspended until infected herd quarantine is released.

Statutory Authority: *MS s 35.03*

1705.0380 ADDITIONS TO CERTIFIED HERD.

No test requirements for cattle originating from certified brucellosis-free herds. Cattle originating from certified brucellosis-free areas shall pass a negative test within 30 days prior to addition to a herd. Cattle added to a certified brucellosis-free herd under this provision shall not receive new herd status for sale purposes until they have passed a 45 to 120 day postentry retest.

Statutory Authority: *MS s 35.03*

1705.0390 CATTLE FROM HERDS NOT UNDER QUARANTINE IN STATES NOT CERTIFIED "BRUCELLOSIS-FREE" BY VETERINARY SERVICES, UNITED STATES DEPARTMENT OF AGRICULTURE.

Cattle originating from herds not under quarantine in states not certified "Brucellosis-Free" by Veterinary Services, United States Department of Agriculture shall have passed a brucellosis test within 30 days prior to date of movement and then kept in isolation until they have passed a brucellosis retest made between 60 and 120 days after being moved. Cattle added to a certified brucellosis-free herd under this provision shall not receive new herd status for sale purposes until they have passed a 60- to 120-day postentry retest and have been included in the herd blood test on the next anniversary of the recertification test.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1705.0400 [Repealed, 23 SR 883]

1705.0410 NONTEST ELIGIBLE VACCINATED CATTLE.

Nontest eligible vaccinated cattle, except cattle originating from a certified brucellosis-free herd must be kept isolated until they have passed a brucellosis test. Cattle added to a certified brucellosis-free herd under this provision shall not receive new herd status until they have passed the 45 to 120 day postentry test.

Statutory Authority: *MS s 35.03*

1705.0420 RECERTIFICATION.

All test-eligible cattle in the herd over six months of age are required to pass a brucellosis test within 60 days prior to the anniversary date for continuous certification. If the certification test is conducted within 60 days following the anniversary date, the certification period will be 12 months from the anniversary date and not 12 months from the date of the recertifying test. During the interval between the anniversary date and the recertifying test, certification will be suspended. If a herd blood test for recertification is not conducted within 60 days after the anniversary date, then certification requirements are the same as for initial certification.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1705.0430 [Repealed, 23 SR 883]

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1705.0440 ACCOUNTING TO BOARD FOR QUARANTINED FEEDING CATTLE.

The owner shall account to the board for all quarantined feeding cattle, reporting those sold directly for slaughter, those resold for feeding (with an affidavit), those tested with permission of the board for sale as breeding stock, those which died, and those which were slaughtered for consumption by the owner.

Statutory Authority: *MS s 35.03*

1705.0450 CATTLE IMPROPERLY MAINTAINED.

If at any time it is determined that the cattle are not maintained in accordance with the terms of the affidavit or the rules of the board, the owner shall immediately correct the facilities for segregation and employ a veterinarian, at owner's expense, to test all cattle which have associated with or have been exposed to the quarantined cattle.

Statutory Authority: *MS s 35.03*

1705.0460 [Repealed, 23 SR 883]

1705.0470 [Repealed, 17 SR 1272]

1705.0480 DEALER RECORDKEEPING.

Any dealer who purchases, deals in, or sells cattle; or who acts as a commission representative or broker; or who operates and conducts an auction where cattle are sold shall maintain records for a period of two years as outlined in these rules.

Statutory Authority: *MS s 35.03*

1705.0490 CONTENTS OF RECORDS.

The records shall be maintained on all cattle except calves six months of age and under, steers, spayed heifers, and female feeding cattle under 18 months of age of beef type and breed imported into Minnesota under special permit or sold in Minnesota under affidavit by: individually identifying each animal; showing the origin of each animal; showing the destination of each animal; showing the date of each transaction.

Statutory Authority: *MS s 35.03*

1705.0500 ORIGIN AND DESTINATION OF CATTLE.

Dealers shall upon request furnish the board the origin and destination of any cattle handled by them when essential to determine the source and dissemination of disease.

Statutory Authority: *MS s 35.03*

1705.0510 [Repealed, 23 SR 883]

1705.0520 COMPLETE HERD CONDEMNATION, EXCEPT STEERS, INCLUDING NONREACTORS AND EXPOSED CATTLE NOT ELIGIBLE FOR TEST.

The Board of Animal Health through its executive secretary may condemn a complete herd, except steers, after having considered recommendations from the following: field veterinarian responsible for the herd; state brucellosis epidemiologist; federal veterinarian in charge; veterinarian in charge, brucellosis division, Board of Animal Health.

Statutory Authority: *MS s 35.03*

History: *13 SR 2859*

1705.0530 FACTORS TO BE CONSIDERED IN CONDEMNATION.

The persons named in part 1705.0520 shall consider the following factors:

A. Danger of transmission to other herds; number and percent of abortions among reactors, suspects, and negatives;

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- B. Supplemental test results;
- C. Evaluation of management practices;
- D. Vaccination history;
- E. Epidemiologic investigation;
- F. Status of area as determined by tests on contact herds and surveillance testing with MCT or BRT;
- G. Results of culture attempts to isolate Brucella. A positive culture, other than Strain 19 or RB51, shall support a decision to condemn, but a negative culture does not prohibit herd condemnation; and
- H. Rapidity of spread within the herd.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1705.0540 CONDEMNATION OR APPRAISAL OF NONREACTORS AND EXPOSED CATTLE.

Nonreactors and exposed cattle shall not be condemned or appraised unless the owner signs an agreement which provides:

- A. Owner and any other holder of an interest in the herd certifies such interest and voluntarily agrees to the condemnation of the herd.
- B. All cattle, except steers, shall be condemned and appraised. Steers may be kept on the premises under quarantine in an area approved by the board.
- C. No cattle, except steers, shall be brought to the premises sooner than 30 days following shipment of the condemned herd.
- D. Indemnity will be paid, if funds are available, as provided by Minnesota Statutes, section 35.09, subdivision 2a.
- E. Nonreactors and exposed cattle will be identified, appraised, and sold as outlined in part 1705.0120.
- F. Premises shall be cleaned and disinfected following shipment of nonreactors and exposed cattle as outlined in part 1705.0210.

Statutory Authority: *MS s 35.03*

1705.0550 [Repealed, L 2003 c 107 s 32]

1705.0560 [Repealed, L 2003 c 107 s 32]

1705.0570 [Repealed, L 2003 c 107 s 32]

1705.0580 [Repealed, L 2003 c 107 s 32]

1705.0590 [Repealed, L 2003 c 107 s 32]

1705.0600 [Repealed, L 2003 c 107 s 32]

1705.0610 [Repealed, L 2003 c 107 s 32]

1705.0630 [Repealed, L 2003 c 107 s 32]

BOVINE PARATUBERCULOSIS

1705.0640 DEFINITIONS.

Subpart 1. **Board.** "Board" means the Board of Animal Health or its authorized agent.

Subp. 2. **Herd.** "Herd" means all cattle under common ownership or supervision that are grouped on one or more parts of a single premises or all cattle on two or more premises geographically separated but on which the cattle have been interchanged or where there has been contact of cattle between the premises.

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Subp. 3. [Repealed, 10 SR 1852]

Subp. 4. **Owner.** "Owner" means the legal owner, his or her agents, and the person in possession of or caring for the cattle referred to.

Subp. 4a. [Repealed, 23 SR 883]

Subp. 5. [Repealed, 10 SR 1852]

Subp. 6. [Repealed, 10 SR 1852]

Subp. 7. [Repealed, 10 SR 1852]

Subp. 8. [Repealed, 23 SR 883]

Subp. 8a. **Vaccinated cattle.** "Vaccinated cattle" means cattle vaccinated with the *Mycobacterium paratuberculosis* bacterin which is licensed by the United States Department of Agriculture according to the procedures specified in parts 1705.0640 to 1705.0732.

Subp. 9. **Veterinarian.** "Veterinarian" means a veterinarian licensed and accredited in Minnesota or a veterinarian employed by the United States Department of Agriculture.

Statutory Authority: *MS s 35.03; 35.243*

History: *10 SR 1852; 23 SR 883*

1705.0650 [Repealed, 10 SR 1852]

1705.0660 [Repealed, 10 SR 1852]

1705.0670 [Repealed, 23 SR 883]

1705.0680 [Repealed, 10 SR 1852]

1705.0690 [Repealed, 10 SR 1852]

1705.0700 [Repealed, 10 SR 1852]

1705.0710 [Repealed, 10 SR 1852]

1705.0720 IDENTIFICATION OF CATTLE.

Cattle tested must be individually identified by an official ear tag with the Minnesota prefix inserted in the right ear, by a tattoo, by a registry number, or by an ear tag inserted by the owner.

Statutory Authority: *MS s 35.03*

History: *10 SR 1852*

1705.0725 REPORTS OF RECOGNIZED TESTS.

Subpart 1. **Johnin or agid tests.** Johnin tests and the agid test must be reported to the board by the veterinarian who made the test within 14 days after observation of test results.

Subp. 2. **Serum or fecal tests.** A veterinarian submitting either serum or fecal samples to an approved laboratory for paratuberculosis testing must provide that laboratory completed official test charts in triplicate at the time of sample submission. The laboratory must report results of the test to the board.

Statutory Authority: *MS s 35.03*

History: *10 SR 1852*

1705.0726 SALE OF MYCOBACTERIUM PARATUBERCULOSIS BACTERIN.

Manufacturers, wholesalers, distributors, and other agencies may sell *Mycobacterium paratuberculosis* bacterin only to a veterinarian authorized by the board and must send a copy of each sale invoice to the board.

Statutory Authority: *MS s 35.03*

History: *10 SR 1852*

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1705.0727 REQUIREMENTS FOR USE OF *MYCOBACTERIUM PARATUBERCULOSIS* BACTERIN.

Mycobacterium paratuberculosis bacterin may be used only when the following requirements are met:

A. The bacterin may be administered only by a veterinarian.

B. The bacterin may be used only in cattle herds in which one or more members of the herd are positive to the fecal culture test or the agid test, or have been diagnosed as infected by histopathological diagnosis at a laboratory approved by the board.

C. All cattle in the herd 24 months of age or over must be negative to a caudal fold intradermal tuberculin test made within 60 days prior to the vaccination starting date.

D. The bacterin may be used only in calves from one to 35 days of age.

E. Vaccinated calves must be identified pursuant to part 1705.0720. Vaccinated calves must be further identified by a tattoo in the left ear which includes a number representing the quarter of the year when the calf was vaccinated followed by the letter "J" followed by a number representing the year in which the calf was vaccinated.

F. The veterinarian must have a permit issued by the board for use of the bacterin in a specified herd.

G. A report of the vaccination must be submitted to the board within 14 days after the vaccine is administered.

Statutory Authority: *MS s 35.03*

History: *10 SR 1852*

1705.0728 [Repealed, 23 SR 883]

1705.0730 [Repealed, 10 SR 1852]

1705.0731 [Repealed, 23 SR 883]

1705.0732 COST OF TESTS AND VACCINATION.

All tests and vaccinations must be done by a practicing veterinarian at the cattle owner's expense unless a veterinarian employed by the state or federal government is assigned by the board.

Statutory Authority: *MS s 35.03*

History: *10 SR 1852*

1705.0735 [Repealed, 23 SR 883]

1705.0740 [Repealed, 10 SR 1852]

1705.0750 [Repealed, 10 SR 1852]

1705.0760 [Repealed, 10 SR 1852]

1705.0770 [Repealed, 10 SR 1852]

1705.0780 [Repealed, 10 SR 1852]

1705.0790 [Repealed, 10 SR 1852]

1705.0800 [Repealed, 10 SR 1852]

1705.0810 [Repealed, 10 SR 1852]

1705.0820 [Repealed, 10 SR 1852]

1705.0830 [Repealed, 10 SR 1852]

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BOVINE TUBERCULOSIS

1705.0840 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1705.0840 to 1705.1080.

Subp. 1a. **Board.** "Board" means the Minnesota Board of Animal Health or its authorized agent.

Subp. 1b. **Cervidae.** "Cervidae" means all mammals of the family Cervidae, including deer, elk, moose, caribou, and reindeer.

Subp. 2. **Herd.** "Herd" means any number of cattle owned by one or more persons which are maintained on one or more premises and which associate with or contact one another or are cared for by the same personnel.

Subp. 3. **Infected herd.** "Infected herd" means one or more reactors were diagnosed on the last herd test, or the herd is under an infected herd quarantine.

Subp. 4. **Negative.** "Negative" means no tissue response or a minimal pinpoint (pp) response.

Subp. 5. **Negative herd.** "Negative herd" means no reactors or suspects were diagnosed in the last herd test and the herd is not under an infected herd quarantine.

Subp. 6. **Owner.** "Owner" means the legal owner, the owner's agents, and the person in possession of or caring for the cattle referred to.

Subp. 7. **Reactor.** "Reactor" means the tissue response was a circumscribed swelling 5mm (3/16 of an inch) in diameter (P_1) or greater, or a diffuse swelling twice as thick as the normal caudal fold (X_2) or greater unless in the professional judgment of the veterinarian a suspect diagnosis is justified.

Subp. 8. **Suspect.** "Suspect" means the tissue response was greater than negative but less than a reactor.

Subp. 9. **Suspect herd.** "Suspect herd" means one or more suspects, but no reactors were diagnosed in the last herd test and the herd is not under an infected herd quarantine.

Subp. 10. **Test and testing.** "Test" and "testing" for routine use mean the intradermic injection of tuberculin in the caudal fold by an accredited veterinarian or veterinarian of the USDA and the injection site palpated 72 hours after injection.

Subp. 11. **Veterinarian.** "Veterinarian" means a veterinarian licensed and accredited in Minnesota or a veterinarian of the USDA.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *17 SR 1279; 23 SR 883*

1705.0850 REPORT BY VETERINARIAN.

Veterinarians shall report to the board all herds of cattle infected with or suspected of being infected with bovine tuberculosis.

Statutory Authority: *MS s 35.03*

1705.0860 DEMAND FOR TESTS.

The board may demand tests of infected herds, of cattle diagnosed suspect, of suspect herds, of herd of origin of slaughtered cattle with lesions suspected of being tuberculosis, of cattle exposed to infected cattle, and any other cattle when necessary for the eradication of bovine tuberculosis, and the owner or the owner's agent shall present them and assist with the testing.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

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1705.0870 TESTING.

Approved procedures shall be used in application of the test. Cattle injected with tuberculin shall not be moved from the premises until the test results have been determined by the veterinarian conducting the test.

Statutory Authority: *MS s 35.03*

1705.0880 CATTLE OVER 24 MONTHS.

Cattle over 24 months of age shall be eligible for test except cattle of all ages in infected herds shall be tested. Cattle of all ages known to have associated with infected cattle shall be tested.

Statutory Authority: *MS s 35.03*

1705.0890 IDENTIFICATION OF TESTED CATTLE.

Cattle tested shall be individually identified by an official ear tag with the Minnesota prefix inserted in the right ear, tattoo, or other permanent identification.

Statutory Authority: *MS s 35.03*

1705.0900 REPORTS OF TUBERCULIN TESTS.

Reports of tuberculin tests including identification, age, sex, and breed, and a record of the responses shall be submitted to the board within 14 days of observation on forms furnished by the board.

Statutory Authority: *MS s 35.03*

1705.0910 CERVICAL TEST.

The cervical test is to be used only in infected herds, or as a comparative test, or as a special test when required for cattle for export.

Statutory Authority: *MS s 35.03*

1705.0920 INFECTED HERD.

Known infected herds are to be tested only by full-time regulatory veterinarians. Cervical and comparative tests used only as specifically approved by cooperating state and federal officials.

Statutory Authority: *MS s 35.03*

1705.0930 IDENTIFICATION OF REACTOR.

Reactors are to be identified with an official reactor tag in the left ear and a hot "T" brand approximately three inches high on the left hip high on the tailhead. No animal diagnosed as reactor shall be retested.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1705.0940 ELIGIBILITY FOR INDEMNITY.

Reactors must remain on the premises where tested until moved with a shipping permit for immediate slaughter to a slaughtering establishment under federal meat inspection, within 15 days of the appraisal to be eligible for indemnity. Appraisals shall be completed within 15 days of diagnosis.

Statutory Authority: *MS s 35.03*

1705.0950 QUARANTINE.

Quarantines shall be established on all cattle in infected herds and on cattle diagnosed as suspects in herds where only suspects are disclosed, confining these quarantined cattle to the premises where tested or herd of origin.

Statutory Authority: *MS s 35.03*

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1705.0960 NOTICE OF QUARANTINE.

The board shall serve written notice of the quarantine on the owner either personally or by mail at the owner's address as stated on the test chart.

Statutory Authority: *MS s 35.03*

1705.0970 RELEASE OF QUARANTINE ON INFECTED HERD.

Quarantines on infected herd will be released when the entire herd has two negative tuberculin tests at intervals of at least 60 days, and one additional negative test six months later, and at least ten months after the slaughter of lesion reactors.

Quarantines on infected herd will be released after a 60-day negative retest if reactors disclosed "no gross lesions" at slaughter and no evidence of *Mycobacterium bovis* infection is disclosed.

Statutory Authority: *MS s 35.03*

1705.0980 RELEASE OF QUARANTINE ON SUSPECTS.

Quarantines on suspects from a suspect herd will be released if cattle over 24 months of age in the suspect herd have been tested negative at least 60 days after the suspects were disclosed, and the suspects were negative or had been shipped for slaughter with a shipping permit.

Statutory Authority: *MS s 35.03*

1705.0990 RESTRICTED AREA QUARANTINE.

Restricted area quarantines may be established by the board when an owner refuses to comply with any part of these rules, confining all cattle to a defined area until the owner complies with the rule.

Statutory Authority: *MS s 35.03*

1705.1000 MOVEMENT OF QUARANTINED CATTLE.

Movements of quarantined cattle can only be with a shipping permit provided by the board or USDA for immediate slaughter directly to slaughter establishments under federal meat inspection or if no market is available, disposed of by rendering or burying under board supervision. The owner shall give the shipping permit to the transporting agent who shall give it to the consignee or the consignee's agent who shall receipt it and return it to the board.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1705.1010 INFECTED PREMISES.

Infected premises shall be cleaned and disinfected under supervision of regulatory personnel within 15 days after removal of the reactors. Extensions and exemptions may be granted by cooperating state and federal officials.

Statutory Authority: *MS s 35.03*

1705.1020 INFECTED HERDS FROM WHICH MYCOBACTERIUM BOVIS HAS BEEN ISOLATED.

Infected herds from which *Mycobacterium bovis* has been isolated shall be completely depopulated if funds are available and the depopulation is approved by the board.

Newly assembled herds on premises of a depopulation because of tuberculosis shall have all cattle tested approximately six months after assembly and retested one, four, and seven years thereafter. A complete epidemiological survey shall be conducted on these herds and other animals on the premises should be tested.

Statutory Authority: *MS s 35.03*

1705.1030 AREA PLAN PARTICIPATION.

All infected cattle, cattle showing lesions suggestive of tuberculosis at slaughter, and those showing a reactor or suspect response when tested will be traced to herd of origin, and all cattle in the herd or cattle that have associated with those showing evidence of tuberculosis shall be tested promptly and as necessary.

Statutory Authority: *MS s 35.03*

1705.1040 ESTABLISHMENT AND MAINTENANCE OF TUBERCULOSIS-FREE ACCREDITED CATTLE HERD.

An agreement to comply with parts 1705.0840 to 1705.1080 must be signed and filed with the board by the owner.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *17 SR 1272; 23 SR 883*

1705.1050 ACCREDITATION.

When all cattle over 24 months of age have been found negative on an initial tuberculin test and on a retest approximately 12 months later all cattle over 24 months of age and all herd additions other than natural additions have been found negative to the tuberculin test, the herd will be accredited for a period of 12 months (365 days) and a certificate of accreditation issued.

Statutory Authority: *MS s 35.03*

1705.1060 CANCELLATION OF ACCREDITATION.

Accreditation will be canceled if: additions are made contrary to part 1705.1070; if a reactor is disclosed, or lesions suggestive of mycobacteriosis are found at slaughter.

Statutory Authority: *MS s 35.03*

1705.1070 ADDITION TO ACCREDITED HERDS.

Additions to accredited herds shall be: from an accredited herd; from a herd in an accredited free state; from a herd in a modified accredited area in which all cattle over 24 months of age were negative on a tuberculin test within 12 months, and individual cattle for addition were negative to a tuberculin test within 60 days prior to addition; from an untested herd in a modified accredited area individual cattle for addition must be negative to the tuberculin test within 60 days prior to entry and be kept isolated from all cattle in the accredited herd until negative to a tuberculin test conducted at least 60 days after entry. Cattle added under the immediately preceding three categories shall not receive accredited herd status for sale purposes until members of the herd at least 60 days and they have been included in a herd retest.

Statutory Authority: *MS s 35.03*

1705.1080 REACCREDITATION.

Herd will be recredited for 12 months from the anniversary date of the accreditation when all animals over 24 months of age and all additions under 24 months of age other than natural additions have been found negative to a tuberculin test and when all natural additions have been individually identified and recorded on the report of the test as members of the herd at the time of the recreditation test. The test for recreditation to be within a period of ten to 14 months of the anniversary date of the accreditation.

Statutory Authority: *MS s 35.03*

1705.1081 [Repealed, 23 SR 883]

1705.1082 [Repealed, 23 SR 883]

1705.1083 [Repealed, 23 SR 883]

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1705.1084 [Repealed, 23 SR 883]

1705.1085 [Repealed, 23 SR 883]

TUBERCULOSIS HERD STATUS PLANS FOR CERVIDAE

1705.1086 ACCREDITED HERD PLAN FOR CERVIDAE.

Subpart 1. **Animals to be tested.** Testing of herds for accreditation or reaccreditation must include all Cervidae and all other hoof stock over 12 months of age and animals under 12 months of age that are not natural additions and such animals born in and originating from accredited herd.

Subp. 2. **Qualifying standards.** To meet the requirements for accredited herd status, the herd must pass at least three consecutive official tests for tuberculosis conducted at nine- to 15-month intervals with no evidence of bovine tuberculosis disclosed. Herds meeting these standards must be issued a certificate.

Subp. 3. **Additions.** Accredited herd additions must originate directly from one of the following:

A. an accredited herd;

B. a qualified herd if the individual animals for addition were negative to an official tuberculosis test conducted within 90 days prior to entry and isolated from members of the accredited herd until negative to an official tuberculosis test conducted at least 90 days following entry; or

C. a herd not meeting the requirements of item A or B, if individual animals for addition are isolated from all other members of the herd of origin and must pass two negative official tests for tuberculosis conducted at least 90 days apart, with that second test conducted within 90 days prior to movement to the premises of the accredited herd. The additions must be kept in isolation from members of the accredited herd until they are negative to an official tuberculosis test conducted at least 90 days following the date of entry.

Animals added under item B or C must not receive accredited herd status for sale or movement purposes until they are negative on a retest 90 days after entry.

Subp. 4. **Reaccreditation.** To qualify for reaccreditation, the accredited herd must pass a test within a period of 21 to 27 months of the anniversary date. The accreditation period must be 24 months (730 days) from the anniversary date, not 24 months from the date of the reaccreditation test.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1705.1087 QUALIFIED HERD PLAN FOR CERVIDAE.

Subpart 1. **Animals to be tested.** Testing of herds for qualified herd status must include all Cervidae 12 months of age and older and any animals under 12 months of age that are not natural additions, or such animals born in and originating from accredited or qualified herds. All natural additions under 12 months of age and such animals originating from accredited or qualified herds must be individually identified by official eartag and be recorded on the test charts as members of the herd at the time of the herd test.

Subp. 2. **Qualifying standards.** To meet the requirements for qualified herd status, the herd must be administered one official test for tuberculosis within a one-month period with results indicating no evidence of bovine tuberculosis. The qualified herd status remains in effect for 12 months following the qualifying test.

Subp. 3. **Additions.** Herd additions must originate directly from one of the following:

A. an accredited herd;

B. a qualified herd if the individual animals for addition were negative to an official tuberculosis test conducted within 90 days prior to entry; or

C. a herd not meeting the requirements of item A or B if individual animals for addition are isolated from other members of the herd of origin and have negative results to two official tests for tuberculosis, conducted at least 90 days apart, with that second test conducted within 90 days prior to movement to the premises of the qualified herd. The additions must be kept in isolation from all members of the qualified herd until they are negative to an official tuberculosis test conducted at least 90 days following the date of entry.

Animals added under item C must not receive qualified herd status for sale or movement purposes until they are negative to a retest 90 days after entry.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1705.1088 STATUS OF NEWLY ASSEMBLED CERVIDAE HERDS.

A newly assembled herd must assume the herd status of the herd from which the animals originated. A herd assembled from more than one herd must assume the status of the originating herd with the lowest status. A newly assembled herd must also assume the testing schedule of the herd the status of which it assumes. These animals must have no exposure to Cervidae from herds of lesser status than the herd of origin which is determining the status of the newly assembled herd.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

RABIES

1705.1090 DEFINITIONS.

Subpart 1. **Board.** "Board" shall mean the Board of Animal Health.

Subp. 1a. **Confinement.** "Confinement" means restricting an animal in such a way that it can always be found and cannot wander away.

Subp. 1b. **Domesticated wild animal.** "Domesticated wild animal" means a wild or hybrid animal that is confined or controlled by a human and for which the rabies incubation and viral shed time are unknown.

Subp. 2. **Effectively muzzled.** "Effectively muzzled" shall mean a dog fitted with a muzzle securely attached to the head and designed in such manner as to prevent said dog from biting any other animal or person.

Subp. 2a. **Farm animal.** "Farm animal" includes horses or livestock raised for food.

Subp. 2b. **Hybrid animal.** "Hybrid animal" means an animal that is partially a wild or domesticated wild animal.

Subp. 3. **Owner.** "Owner" shall mean legal owner of animal(s), or the owner's agent, or the person in possession of or caring for such animal(s).

Subp. 4. **Person.** "Person" shall mean an individual, firm, or corporation.

Subp. 4a. **Pet.** "Pet" means an animal for which there is a licensed rabies vaccine and which is ordinarily maintained in the home of the owner.

Subp. 5. **Positive rabies case.** "Positive rabies case" means an animal showing signs associated with rabies that are observed and reported to the board by a veterinarian, or an animal diagnosed as positive for rabies by a recognized laboratory, or both.

Subp. 6. **Rabies specimen.** "Rabies specimen" means that part of an animal or an entire animal submitted for rabies examination.

Subp. 6a. **Under the supervision of a veterinarian.** "Under the supervision of a veterinarian" means that a veterinarian is on the premises and is responsible for the rabies vaccination.

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Subp. 7. **Vaccinated.** "Vaccinated" means an animal immunized for rabies by or under the supervision of a licensed veterinarian with a vaccine licensed by the United States Department of Agriculture and used in accordance with the label approved by the USDA taking into consideration the duration period of immunity set forth for the vaccine. The National Association of State Public Health Veterinarians annually publishes the Compendium of Animal Rabies Prevention and Control which lists all vaccines approved and licensed by the USDA and the duration of immunity for each vaccine. The board shall maintain current editions of this compendium which are available to the public upon request.

Subp. 8. **Veterinarian.** "Veterinarian" means a licensed graduate of a veterinary college, who is accredited by the United States Department of Agriculture.

Subp. 9. **Wild animal.** "Wild animal" means a nonhuman terrestrial mammal or a bat that is wild by nature.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 17 SR 1279; 25 SR 1378*

1705.1100 REPORTING.

Any person having knowledge of or who reasonably suspects any animal to be infected with rabies shall report same to the board immediately.

Statutory Authority: *MS s 35.03*

1705.1110 SUSPECT RABIES SPECIMEN.

All suspect rabies specimens shall be shipped in suitable containers which are properly labeled or transported directly, together with a completed rabies data form to the appropriate laboratory. See directions on rabies data form.

Statutory Authority: *MS s 35.03*

1705.1120 INVESTIGATION OF POSITIVE RABIES CASE.

All known positive cases of rabies shall be investigated by a veterinarian employed by the board or the Animal and Plant Health Inspection Service, United States Department of Agriculture. The results of each investigation shall be submitted on forms furnished by the board.

Statutory Authority: *MS s 35.03*

History: *12 SR 151*

1705.1130 ANIMALS BITTEN OR EXPOSED BY RABID ANIMAL.

Animals determined by the veterinarian to be bitten or otherwise exposed by a rabid animal shall be humanely euthanized or quarantined in an animal-tight enclosure constructed so that the animal cannot escape and to prevent the animal from biting or coming in contact with persons or other animals. The quarantine period is for six months unless conditions in part 1705.1175 or 1705.1180 are met or the animal is subject to part 1705.1131. The quarantine starts with the day of exposure. Quarantined pets must be vaccinated at the beginning of the quarantine. Unvaccinated animals should receive a series of three vaccinations on days zero, seven, and 14.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 25 SR 1378*

1705.1131 WILD ANIMALS.

Wild animals, domesticated wild animals, or hybrids for which there is no licensed rabies vaccine must be euthanized or quarantined for life if exposed to a rabid animal.

Statutory Authority: *MS s 35.03*

History: *25 SR 1378*

1705.1140 [Repealed, 12 SR 151]

1705.1145 ANIMAL RABIES VACCINES.

Because of techniques and tolerances, species limitations, and public health implications, animal rabies vaccines may only be administered by or under the supervision of a veterinarian. Rabies vaccine must not be sold or distributed to persons other than veterinarians or distributors of veterinary products, who may only sell it to veterinarians.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 25 SR 1378*

1705.1146 RABIES VACCINATION CERTIFICATES.

The veterinarian responsible for the administration of the rabies vaccine must sign a rabies vaccination certificate for each pet vaccinated. The certificate must include: name, address, and telephone number of owner; pet's name, breed, size (weight range), sex, age, species, and color; vaccine name, company, serial number, date administered, and duration of immunity or date the vaccination expires; rabies tag number; and the name of the veterinarian and the clinic, the veterinarian's signature, and the veterinarian's code number or license number.

Statutory Authority: *MS s 35.03*

History: *25 SR 1378*

1705.1147 VACCINATION OF OTHER SPECIES.

Use of rabies vaccine in animal species for which the vaccine is not licensed must not be recognized and the animal must be considered to be unvaccinated. A vaccination certificate may not be written for these species.

Statutory Authority: *MS s 35.03*

History: *25 SR 1378*

1705.1150 [Repealed, 12 SR 151]**1705.1151 BITES TO HUMANS.**

Subpart 1. **Pet animals.** If a pet animal bites a human, the pet must be confined and observed for signs suggestive of rabies for ten days or euthanized and tested for rabies. If at any time during the ten-day observation the animal dies, it must be tested for rabies. If the animal shows signs suggestive of rabies, it must be euthanized and tested for rabies.

Stray or unwanted pet animals may be euthanized after a five-day holding period and, if euthanized, must be tested for rabies. If, after consultation with a board or public health official, a veterinarian requests a rabies test in writing, a stray or unwanted animal must be euthanized and tested during the five-day period.

Subp. 2. **Farm animals.** If a farm animal bites a human, it must be evaluated on an individual basis by a veterinarian. If it is normal, it may be confined for 14 days. If it exhibits unusual behavior, it must be euthanized and tested for rabies.

Subp. 3. **Wild animals; domesticated wild animals; hybrid animals.** If a wild animal, domesticated wild animal, or hybrid animal bites a human, the wild animal, if available, must be euthanized and tested for rabies. Domesticated wild or hybrid animals must be euthanized and tested for rabies, except that the animal may be exempted from testing if a veterinarian determines that the animal shows no signs of rabies, the local authority, the state public health veterinarian, and the executive director of the board of animal health agree, and the person bitten receives the postexposure vaccination regimen. An exempt animal must be quarantined until completion of the postexposure vaccination regimen.

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Subp. 4. **Lagomorphs; small rodents; and insectivores.** A lagomorph, small rodent, or insectivore that has bitten a human should not be tested unless recommended by the Board of Animal Health or the Minnesota Department of Health.

Statutory Authority: *MS s 35.03*

History: *25 SR 1378; 27 SR 1175*

1705.1152 ENFORCEMENT.

Local animal control, health, and law enforcement officials are responsible for enforcement of part 1705.1151.

Statutory Authority: *MS s 35.03*

History: *25 SR 1378*

1705.1160 [Repealed, 12 SR 151]

1705.1170 VETERINARIAN'S INSPECTION REPORT.

Quarantines established on animals under these rules will not be released until a written report is received by the board from a veterinarian stating the veterinarian has inspected the animals, and no signs of rabies were observed.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 17 SR 1279*

1705.1175 RELEASE OF QUARANTINE ON VACCINATED ANIMALS.

Animals may be released from quarantine after 40 days under the conditions in items A to C.

A. The animal must have been vaccinated for rabies at least 21 days before exposure.

B. The animal must have been revaccinated for rabies immediately after exposure.

C. The written report required in part 1705.1170 must be received by the board.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 25 SR 1378*

1705.1180 RELEASE OF QUARANTINE ON FARM ANIMALS.

Quarantines established on farm animals other than pets, because of rabies exposure may be released upon request after 90 days have elapsed from date of exposure if:

A. no new cases of rabies have developed on the premises; and

B. a written report is submitted to the board by a veterinarian stating the veterinarian has inspected all animals on the premises and that no animals are showing signs of rabies.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 17 SR 1279; 25 SR 1378*

1705.1190 AREA PROCLAMATION AND QUARANTINE.

When an investigation reveals that rabies exists and presents imminent danger of an epidemic, and it is necessary to control the outbreak and prevent the spread of the disease, the executive director of the board shall make and file a proclamation and establish a quarantine to include any territory in the state.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 25 SR 1378*

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1705.1200 CONDITIONS OF PROCLAMATION NOTICE AND QUARANTINE.

In accordance with the Minnesota Statutes, sections 35.67, 35.68, and 35.69, pertaining to the control of rabies and the proclamation notice, the following shall apply when a proclamation notice and quarantine are in effect. The proclamation and quarantine shall be in effect not to exceed six months and shall be in full force five days after proper publication or posting. No pet shall be allowed to run at large within the quarantined area unless effectively muzzled or confined on a leash as described in the proclamation notice for the duration of the quarantine. It shall be the duty of all local peace officers and health officers to enforce the provisions of the rabies law, rule, and proclamation notice.

Statutory Authority: *MS s 35.03*

History: *25 SR 1378*

1705.1210 PERMIT FOR REMOVAL OF PETS.

Special permits may be issued by the executive director of the board for removal of pets from a quarantined area. The permits will be granted only if: (1) the pet has been vaccinated for rabies at least 21 days before the quarantine proclamation under part 1705.1190; (2) there is no evidence of exposure to a rabid animal; and (3) the pet will be quarantined for 40 days at its new destination.

Removal of pets from a quarantined area in Minnesota to other states will require prior approval from disease control officials in the state of destination.

Statutory Authority: *MS s 35.03*

History: *12 SR 151; 25 SR 1378*

SCABIES

1705.1220 OUTBREAKS OF SKIN DISEASE.

All outbreaks of skin disease among cattle, sheep, or goats suspicious of being caused by Psoroptes mites shall be reported to the board. All animals affected with scabies and all animals that have been exposed to the affected animals shall be quarantined.

Statutory Authority: *MS s 35.03*

1705.1230 DURATION OF QUARANTINE.

The quarantine shall be continued until satisfactory evidence is presented to the board that the quarantined animals are not affected with scabies; or until the entire herd has been dipped, sprayed, or satisfactorily treated two or more times with an interval of ten to 14 days, using a dip approved by the USDA for treatment of scabies, the recommended withdrawal period observed, and satisfactory evidence presented to the board that the animals are no longer affected; or the entire herd has been shipped for slaughter.

Statutory Authority: *MS s 35.03*

1705.1240 ENCLOSURE.

Enclosures in which animals affected with scabies have been confined shall not be repopulated for a period of at least 30 days after untreated quarantined animals have been shipped for slaughter, or until cleaned and disinfected under supervision of the board.

Statutory Authority: *MS s 35.03*

1705.1250 DIPPING FACILITY.

Facilities used for official dipping of animals for scabies shall be approved by the board. A supervisor of the dip vat shall be authorized by the board, who will be

responsible for operation of the vat, for submission of vat samples, and maintaining a record of all animals dipped for official purposes.

Statutory Authority: *MS s 35.03*

SWINE BRUCELLOSIS

1705.1550 DEFINITIONS.

Subpart 1. **Board.** "Board" means the Board of Animal Health or its authorized agent.

Subp. 2. **Exposed swine.** "Exposed swine" means those which are part of a brucellosis infected herd or have been in contact with a brucellosis reactor for 24 hours, or less than 24 hours if reactor has recently aborted, farrowed, or has vaginal or uterine discharge.

Subp. 3. **Herd.** "Herd" means any number of swine owned by one or more persons which are maintained on one or more premises and which associate with or contact one another or are cared for by the same personnel.

Subp. 4. **Herd selling breeding stock.** "Herd selling breeding stock" means a herd from which purebred, hybrid, or grade gilts, sows, or boars are sold as replacement breeding stock on a continuing basis as a major or primary herd management objective.

Subp. 5. **Infected herd.** "Infected herd" means one in which one or more reactors has been disclosed and which has not regained a negative herd status.

Subp. 6. **Negative herd.** "Negative herd" means one in which all eligible swine six months of age and over are negative.

Subp. 7. **Negative swine.** "Negative swine" means swine showing no reaction on the test.

Subp. 8. **Owner.** "Owner" means the legal owner, the owner's agents, and the person in possession of or caring for the swine referred to.

Subp. 9. **Reactor swine.** "Reactor swine" means swine showing a positive reaction on the test or found infected by other diagnostic procedures. Diagnosis may be deferred on card test positive swine in a herd which is otherwise serologically, bacteriologically, and epidemiologically negative when held under herd quarantines until subjected to subsequent tests to determine the status of the swine.

Subp. 10. **Test and testing.** "Test" and "testing" mean and refer to the Brucella buffered antigen (BBA or card) test or other tests approved by the board conducted in a laboratory approved by the board on serums from blood samples collected and submitted by a veterinarian.

Subp. 11. **Validated brucellosis-free area.** "Validated brucellosis-free area" means an area which is recognized by the board and USDA as being free of swine brucellosis.

Subp. 12. **Validated brucellosis-free herd.** "Validated brucellosis-free herd" means one for which the owner holds an unrevoked and unexpired validated herd certificate.

Subp. 13. **Veterinarian.** "Veterinarian" means a veterinarian licensed and accredited in Minnesota or a veterinarian of the USDA.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1705.1560 REPORT TO BOARD.

Veterinarians shall report to the board all herds infected with swine brucellosis or suspicious of being infected with swine brucellosis. The board may demand tests of infected or suspicious swine, and the owner shall present them for test and assist with the testing when demanded by the board.

Statutory Authority: *MS s 35.03*

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1705.1570 DISEASES OF DOMESTIC ANIMALS

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1705.1570 QUARANTINE.

The board shall quarantine exposed swine and herds suspicious of being infected with swine brucellosis. These quarantines will be released if it is determined that the herd is not infected.

Statutory Authority: *MS s 35.03*

1705.1580 MOVEMENT OF SWINE.

No exposed swine or swine under quarantine shall be moved except with a shipping permit for slaughter at a slaughtering establishment where federal inspection is maintained, or a market approved to receive quarantined swine for sale to such establishments, or return to the herd of origin with a permit.

Statutory Authority: *MS s 35.03*

1705.1590 ELIGIBILITY FOR TESTING.

Swine six months of age and over except barrows shall be eligible for test.

Statutory Authority: *MS s 35.03*

1705.1600 EXEMPTION FROM TEST.

Feeding swine isolated from all breeding swine are exempted from test.

Statutory Authority: *MS s 35.03*

1705.1610 EXPENSE OF BLOOD SAMPLE COLLECTION.

Blood samples shall be collected by a veterinarian at owner's expense unless the board or cooperating agency authorizes collection of blood samples at state or federal expense.

Statutory Authority: *MS s 35.03*

1705.1620 IDENTIFICATION OF TESTED SWINE.

Swine tested shall be individually identified by a piercing ear tag with the uniform numbering system, a tattoo number, registry number, or other identification acceptable to the board.

Statutory Authority: *MS s 35.03*

1705.1630 RECOGNIZED TESTING LABORATORIES.

Serums from the blood samples, with three copies of the test chart, shall be submitted to an approved laboratory for testing.

Statutory Authority: *MS s 35.03*

1705.1640 QUARANTINE OF REACTORS.

Reactors shall be quarantined and be identified by an approved reactor tag in the left ear. Reactors should be removed from the premises with a shipping permit within 15 days of identification for slaughter at a slaughtering establishment where federal inspection is maintained, or a market approved to receive quarantined swine for sale to such establishments. The time may be extended by cooperating authorities.

Statutory Authority: *MS s 35.03*

1705.1650 INFECTED HERD QUARANTINE.

Infected herds shall be quarantined. The board shall serve written notice of quarantine on the owner, either personally or by mail addressed to the owner's post office address as on the test chart.

Statutory Authority: *MS s 35.03*

1705.1660 RELEASE OF QUARANTINE.

Infected herd quarantines will be released when the reactors have been shipped with a permit and slaughtered, and all remaining swine six months of age and over except barrows and feeding swine have passed two consecutive negative herd tests, the first negative test to be at least 30 days after slaughter of the reactors, and the second negative test not less than 90 days following the first. After removal of reactor swine the premises shall be cleaned and disinfected as directed by the board.

Statutory Authority: *MS s 35.03*

1705.1670 ESTABLISHMENT AND MAINTENANCE OF VALIDATED BRUCELLOSIS-FREE HERDS OF SWINE.

An agreement to comply with these rules shall be signed and filed with the board by the owner.

Statutory Authority: *MS s 35.03*

1705.1680 VALIDATION.

When the eligible swine in the breeding herd maintained under agreement have passed a negative test, the herd shall be declared a validated brucellosis-free herd for a period of one year and a validated brucellosis-free herd certificate issued by the board.

Statutory Authority: *MS s 35.03*

1705.1690 CANCELLATION OF VALIDATION.

The validation will be canceled if: additions to the herd are made contrary to part 1705.1700; the validation would be reinstated when the entire breeding herd passes a negative test; a reactor is disclosed on a herd test or on a test of any swine from the herd; the validation would be reinstated when the infected herd quarantine is released.

Statutory Authority: *MS s 35.03*

1705.1700 SWINE ADDED TO VALIDATED HERDS.

Swine added to validated herds shall be accompanied by a record of origin or test and from a validated brucellosis-free herd or a breeding herd not under quarantine if the added swine are tested negative on the card test at an approved laboratory within 30 days prior to admission to the validated herd and isolated from all other swine until negative to a retest made at least 60 days after the first test; bred sows and gilts to have the second test at least 30 days after farrowing.

Statutory Authority: *MS s 35.03*

1705.1710 SWINE TEMPORARILY REMOVED FROM VALIDATED HERD.

Swine temporarily removed from a validated herd for exhibition or other purposes shall, upon return to the herd, be isolated from other swine until tested negative 30 to 60 days after their return.

Statutory Authority: *MS s 35.03*

1705.1720 REVALIDATION.

The herd will be revalidated for a period of one year from the validation date upon a negative herd test of all eligible swine conducted within ten to 14 months of the validation date, or if it is established that at least 20 percent of the adult breeding swine of the herd were market swine tested during the year and at least one-half of these in the last six months of the year, or that 25 percent of the adult breeding swine (six months of age and over) in the herd are tested every three months (80 to 100 days) with each breeding animal tested at least once during the year.

Statutory Authority: *MS s 35.03*

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1705.1730 ESTABLISHMENT AND MAINTENANCE OF VALIDATED BRUCELLOSIS-FREE AREAS.

The entire state or any political subdivision of the state may be submitted for validation as determined by cooperating state and federal authorities.

Statutory Authority: *MS s 35.03*

1705.1740 METHOD OF INITIAL VALIDATION.

All herds selling breeding stock must be validated during a one year period at owner's expense or be revalidated. Ninety percent of all sows, boars, and stags slaughtered are to be tested, and when reactors are found, the herd of origin is to be sent to slaughter within 30 days, or tested for brucellosis until the quarantine is released. All slaughtering establishments slaughtering sows, boars, and stags shall allow and cooperate with the board in collection of necessary swine blood samples. Other methods of validation may be authorized by the board.

Statutory Authority: *MS s 35.03*

1705.1750 ADDITIONS TO HERDS IN VALIDATED BRUCELLOSIS-FREE AREAS.

Additions to herds in validated brucellosis-free areas shall be directly from:

A. a validated brucellosis-free herd;

B. a nonquarantined herd in validated brucellosis-free area; or

C. a nonquarantined herd in areas which are not validated brucellosis-free if the swine have a negative brucellosis card test conducted at an approved laboratory within 30 days prior to the date of entry and are held in isolation after being added to the herd until they have had an additional negative brucellosis card test between 60 and 90 days after the date of entry, and are accompanied by a record of such origin or test.

Statutory Authority: *MS s 35.03*

1705.1760 FEEDING SWINE.

Feeding swine may be held on validated herd premises or enter validated areas without brucellosis tests provided the feeding swine are isolated from all breeding swine on the premises.

Statutory Authority: *MS s 35.03*

1705.1770 SWINE CONSIGNED TO SLAUGHTERING ESTABLISHMENT OR STOCKYARD.

Swine may be consigned to slaughtering establishments or to stockyards approved for sale and shipment to slaughtering establishments for slaughter in a validated brucellosis-free area without a brucellosis test provided they are transported directly to holding pens at the slaughtering establishment or at the stockyards and are not diverted en route for any other purpose.

Statutory Authority: *MS s 35.03*

1705.1780 REVALIDATION.

When the initial validation period expires, application to USDA for revalidation will be made.

Statutory Authority: *MS s 35.03*

GOAT BRUCELLOSIS

1705.1790 DEFINITIONS.

Subpart 1. **Certified brucellosis-free goat herd.** "Certified brucellosis-free goat herd" means one for which the owner holds an unrevoked and unexpired certified herd certificate.

Subp. 2. **Infected herd.** "Infected herd" means one in which one or more reactors has been disclosed and which has not regained a negative herd status.

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Subp. 3. **Other tests.** "Other tests" means test other than the card test approved by the board which shall be conducted and interpreted as outlined in parts 1705.0060 to 1705.0540.

Subp. 4. **Negative.** "Negative" means a goat showing no reaction on the test.

Subp. 5. **Negative herd.** "Negative herd" means one in which all goats six months of age and over are tested and negative and which herd is not under an infected herd quarantine.

Subp. 6. **Reactor.** "Reactor" means a goat showing a positive reaction on the test or proven infected by other diagnostic procedures. Diagnosis may be deferred on a goat showing a positive reaction when held under quarantine until subjected to additional tests and investigation to determine its disease status.

Subp. 7. **Suspect.** "Suspect" means a goat showing a reaction to a test that does not qualify as a reactor or negative.

Subp. 8. **Suspect herd.** "Suspect herd" means one in which one or more suspects but no reactors were diagnosed on the last test and which is not under an infected herd quarantine.

Subp. 9. **Test and testing.** "Test" and "testing" mean and refer to the Brucella buffered antigen (BBA or card) test or other tests approved by the board on serums from blood samples collected and submitted by a veterinarian.

Statutory Authority: *MS s 35.03*

1705.1800 GENERAL REQUIREMENTS.

An agreement to comply with these rules shall be signed by the owner and filed with the board.

Statutory Authority: *MS s 35.03*

1705.1810 TESTING.

Tests shall be made at owner's expense except tests conducted to release quarantines may be made by veterinarians of the board or USDA if personnel and funds are available.

All goats six months of age and over shall be included on a herd test.

Goats tested shall be individually identified by ear tag or tattoo.

Statutory Authority: *MS s 35.03*

1705.1820 QUARANTINES ON INFECTED HERDS.

A herd shall be under quarantine when owner receives notice that reactors were disclosed. An official quarantine will be issued to the owner.

Statutory Authority: *MS s 35.03*

1705.1830 REMOVAL OF GOATS FROM QUARANTINED HERD.

No goats shall be removed from a quarantined herd unless a permit is issued by the board for shipment directly to a slaughter plant where the federal government maintains meat inspection.

The board may authorize the movement of goats from a quarantined herd to a public stockyard or to a rendering plant.

Statutory Authority: *MS s 35.03*

1705.1840 RELEASE OF QUARANTINE.

Quarantines are released after the board has been furnished evidence that the reactors have been destroyed and that the herd has passed two consecutive negative tests. The first test may be conducted no sooner than 30 days after reactors are destroyed, and the second test no sooner than 90 days after first negative test.

Statutory Authority: *MS s 35.03*

1705.1850 QUARANTINES ON SUSPECTS HELD IN SUSPECT HERDS.

Suspects shall be under quarantine when the owner receives notice that suspects were disclosed. An official quarantine will be issued to the owner.

Statutory Authority: *MS s 35.03*

1705.1860 REMOVAL OF SUSPECTS FROM QUARANTINE.

No suspects shall be removed from quarantine unless a permit is issued by the board for shipment directly to a slaughter plant where the federal government maintains meat inspection.

The board may authorize the movement of suspects to a public stockyard or to a rendering plant.

Statutory Authority: *MS s 35.03*

1705.1870 RELEASE OF QUARANTINE.

Quarantines are released if suspects are negative to a retest or after the board has been furnished evidence that suspects have been destroyed. If suspects are not available for retest, the herd shall be tested by a veterinarian of the board or USDA if personnel and funds are available.

Statutory Authority: *MS s 35.03*

1705.1880 CERTIFIED BRUCELLOSIS-FREE GOAT HERDS.

Subpart 1. **Initial certification.** When two consecutive negative herd tests of all goats six months of age and over are conducted not less than ten months or more than 14 months apart, the herd will be certified for a period of one year and a certified herd certificate issued. The expiration date on the certificate will be one year after date of final test for herd certification. Tests made for release of quarantine shall not be used for herd certification.

Subp. 2. **Recertification.** A negative herd test on all goats six months of age and over within 60 days prior to each anniversary of the certificate date is required for continuous certified herd status. If the negative recertification test is conducted within 60 days following the anniversary date, the recertification is for 12 months from the anniversary date.

Statutory Authority: *MS s 35.03*

1705.1890 ADDITIONS TO CERTIFIED HERDS AND HERDS IN PROCESS OF CERTIFICATION.

Additions to certified herds and herds in process of certification shall:

A. originate from certified herds; or

B. originate from negative herds tested within one year; added animals shall also be negative to a test conducted more than 60 days following herd test and within 30 days prior to joining the herd.

Goats from all other herds shall be negative to a test made within 30 days prior to being brought to premises and then kept in isolation until negative to a retest made no sooner than 30 days from previous test.

Additions to herd shall not receive certified herd status until they have been members of the herd for at least 30 days and are included in a complete herd test.

Statutory Authority: *MS s 35.03*

1705.1900 TEMPORARY TRANSFER OF MALES OR FEMALES FOR BREEDING TO A CERTIFIED HERD OR A HERD IN PROCESS OF CERTIFICATION.

The animals shall originate from a herd with the status described in part 1705.1890, item A or B.

Statutory Authority: *MS s 35.03*

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1705.1910 PUBLIC EXHIBITIONS.

Goats originating directly from a certified herd will be eligible for public exhibitions without the test for brucellosis required by parts 1715.0010 to 1715.0190, and it is recommended that such goats be isolated from the certified herd until tested negative 30 to 60 days after their return.

Statutory Authority: *MS s 35.03*

1705.1920 REVOCATION OF CERTIFIED BRUCELLOSIS-FREE CERTIFICATE.

Certificate will be canceled by the board if: one or more reactors are disclosed in the herd; one or more reactors disclosed in animals removed from the herd within 30 days following date such animals were removed; and one or more animals are added to the herd contrary to parts 1705.1890 and 1705.1900.

If a certificate is canceled, the herd may be recertified providing the requirements for initial certification described in part 1705.1880, subpart 1 are met.

Statutory Authority: *MS s 35.03*

1705.1930 OTHER TESTS.

Tests other than those made under the agreement described in part 1705.1800 to establish certified brucellosis-free goat herds. The provisions of parts 1705.1810 to 1705.1870 shall apply to all goats tested in Minnesota if such tests disclose suspects or reactors.

Statutory Authority: *MS s 35.03*

GOAT TUBERCULOSIS

1705.1940 DEFINITIONS.

Subpart 1. **Accredited tuberculosis-free goat herd.** "Accredited tuberculosis-free goat herd" means one for which the owner holds an unrevoked and unexpired accredited herd certificate.

Subp. 2. **Infected herd.** "Infected herd" means one or more reactors were diagnosed on the last herd test, or the herd is under an infected herd quarantine.

Subp. 3. **Negative.** "Negative" means no tissue response to the caudal fold injection or a negative diagnosis on comparative cervical test.

Subp. 4. **Negative herd.** "Negative herd" means no reactors or suspects were diagnosed in the last herd test and the herd is not under an infected herd quarantine.

Subp. 5. **Reactor.** "Reactor" means a reactor diagnosis on comparative cervical test.

Subp. 6. **Suspect.** "Suspect" means a suspect diagnosis on comparative cervical test.

Subp. 7. **Suspect herd.** "Suspect herd" means one or more suspects, but no reactors were diagnosed in the last herd test, and the herd is not under an infected herd quarantine.

Subp. 8. **Test and testing.** "Test" and "testing" mean the intradermic injection of tuberculin in the caudal fold by an accredited veterinarian or a veterinarian of the USDA and the injection site observed and palpated 72 hours after injection. On all goats which respond to the caudal fold injection, a comparative cervical test will be made within ten days or after 60 days following date of caudal fold injection by a veterinarian of the board or USDA.

Statutory Authority: *MS s 35.03*

1705.1950 GENERAL REQUIREMENTS.

An agreement to comply with these rules shall be signed by the owner and filed with the board.

Statutory Authority: *MS s 35.03*

1705.1960 TESTING.

Tests, except comparative cervical tests, shall be made at owner's expense. Tests conducted to release quarantines may be made by veterinarians of the board or USDA if personnel and funds are available.

All goats six months of age and over shall be included on a herd test.

Goats tested shall be individually identified by ear tag or tattoo.

Veterinarians shall report to the board by telephone immediately following observation when goats respond to caudal fold injection. Negative tests shall be reported within 14 days of observation on forms furnished by the board.

Statutory Authority: *MS s 35.03*

1705.1970 SUSPECT HERDS QUARANTINE.

Suspects maintained in suspect herds shall be under quarantine until diagnosed negative or reactor by a comparative cervical test which test may be made 60 days after suspect is disclosed. An official quarantine will be issued to the owner.

Statutory Authority: *MS s 35.03*

1705.1980 INFECTED HERDS QUARANTINE.

Infected herds shall be under quarantine which will remain in force until reactors are destroyed and the herd passes three consecutive negative tests. The first test is to be made no sooner than 60 days following date reactors are destroyed, the second test no sooner than 60 days following the first negative test, and the third test no sooner than six months following the second negative test. An official quarantine will be issued to the owner.

Statutory Authority: *MS s 35.03*

1705.1990 MOVEMENT OF GOATS FROM QUARANTINED HERD.

No goats shall be removed from a quarantined herd unless a permit is issued by the board for shipment directly to a slaughter plant where the federal government maintains meat inspection. The board may authorize the movement of goats from a quarantined herd to a public stockyard or to a rendering plant.

Statutory Authority: *MS s 35.03*

1705.2000 ACCREDITATION OF GOAT HERDS TUBERCULOSIS-FREE.

Subpart 1. **Initial accreditation.** When two consecutive negative herd tests of all goats six months of age and over are conducted not less than ten months or more than 14 months apart, the herd will be accredited for a period of one year and an accredited herd certificate issued. The expiration date on the certificate will be one year after date of final test for herd accreditation.

Subp. 2. **Reaccreditation.** A negative herd test on all goats six months of age and over within 60 days prior to each anniversary of the certificate date is required for continuous accredited herd status. If the negative reaccreditation test is conducted within 60 days following the anniversary date, the reaccreditation is for 12 months from the anniversary date.

Statutory Authority: *MS s 35.03*

1705.2010 ADDITIONS TO ACCREDITED HERDS AND HERDS IN PROCESS OF ACCREDITATION.

Additions to accredited herds and herds in process of accreditation shall:

A. originate from accredited herds; or

B. originate from negative herds tested within one year; added animals shall also be negative to a test conducted more than 60 days following herd test and within 60 days prior to joining herd.

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Goats from all other herds shall be negative to a test made within 60 days prior to being brought to premises and then kept in isolation until negative to a retest made no sooner than 60 days from previous test.

Additions to herd shall not receive accredited herd status until they have been members of the herd for at least 60 days and are included in a complete herd test.

Statutory Authority: *MS s 35.03*

1705.2020 TEMPORARY TRANSFER OF MALES OR FEMALES FOR BREEDING TO ACCREDITED HERD OR HERD IN PROCESS OF ACCREDITATION.

The animals shall originate from a herd with the status described in part 1705.2010, item A or B.

Statutory Authority: *MS s 35.03*

1705.2030 PUBLIC EXHIBITIONS.

Goats originating directly from an accredited herd will be eligible for public exhibitions without the test for tuberculosis required by parts 1715.0010 to 1715.0190 and it is recommended that such goats be isolated from the accredited herd until tested negative 60 to 120 days after their return.

Statutory Authority: *MS s 35.03*

1705.2040 REVOCATION OF ACCREDITED TUBERCULOSIS-FREE CERTIFICATE.

Certificate will be canceled if one or more reactors are disclosed in the herd; if one or more reactors are disclosed in animals removed from herd within 30 days following the date such animals are removed; and if one or more animals are added to the herd contrary to parts 1705.2010 and 1705.2020.

If a certificate is canceled, the herd may be reaccredited providing the requirements for initial accreditation described in part 1705.2000, subpart 1 are met.

Statutory Authority: *MS s 35.03*

1705.2050 OTHER TESTS.

Tests other than those made under the agreement described in part 1705.1950 to establish accredited tuberculosis-free goat herds. The provisions of parts 1705.1960 to 1705.1980 shall apply to all goats tested in Minnesota if such tests disclose suspects or reactors.

Statutory Authority: *MS s 35.03*

1705.2060 [Repealed, 9 SR 201]

1705.2070 [Repealed, 9 SR 201]

1705.2080 [Repealed, 9 SR 201]

1705.2090 [Repealed, 9 SR 201]

1705.2100 [Repealed, 9 SR 201]

1705.2110 [Repealed, 9 SR 201]

1705.2120 [Repealed, 9 SR 201]

1705.2130 [Repealed, 9 SR 201]

1705.2140 [Repealed, 9 SR 201]

1705.2150 [Repealed, 9 SR 201]

1705.2160 [Repealed, 9 SR 201]

1705.2170 [Repealed, 9 SR 201]

1705.2180 [Repealed, 9 SR 201]

1705.2190 [Repealed, 9 SR 201]

1705.2200 [Repealed, 9 SR 201]

1705.2210 [Repealed, 9 SR 201]

1705.2220 [Repealed, 9 SR 201]

1705.2230 [Repealed, 9 SR 201]

1705.2240 [Repealed, 9 SR 201]

1705.2250 [Repealed, 9 SR 201]

ALEUTIAN DISEASE OF MINK

1705.2260 OFFICIAL TEST.

“Official test” means counter-electrophoresis (CEP) plate test conducted in a laboratory recognized by the board on samples submitted by an authorized testing agent.

Statutory Authority: *MS s 35.03*

1705.2270 ESTABLISHING ALEUTIAN DISEASE-FREE HERD.

The herd owner shall notify the board of intent to qualify the herd by having the breeding mink tested at the owner's expense. A mink herd will qualify when the owner has filed with the board proof that all mink in the breeding herd have been negative on two successive official tests for aleutian disease conducted not less than 45 days or more than 365 days apart.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1705.2280 ALEUTIAN DISEASE-FREE HERD CERTIFICATE.

An aleutian disease-free herd certificate valid for one year from the date of the last qualifying test will be issued to the owner of the qualified herd.

Statutory Authority: *MS s 35.03*

1705.2290 REVOCATION OF CERTIFICATE.

Certificates will be revoked if a laboratory or clinical diagnosis of aleutian disease is made in the herd or if the provisions of this rule are not complied with.

Statutory Authority: *MS s 35.03*

1705.2300 ADDITIONS TO CERTIFIED HERDS OR THOSE BEING QUALIFIED.

Mink from certified aleutian disease-free herds may be added without a test. Mink from other herds must be tested for aleutian disease and negative within 30 days prior to entry, be isolated from all other mink until retested, and negative not less than 30 days or more than 60 days after entry.

Statutory Authority: *MS s 35.03*

1705.2310 RECERTIFICATION OF CERTIFIED ALEUTIAN DISEASE-FREE HERD.

The board may recertify a certified aleutian disease-free herd for one year from the anniversary date upon receipt of proof of a negative official test of the breeding

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herd conducted within 30 days of the expiration of the certificate. Herds which have been certified for two years may be recertified upon receipt of a negative official test on 50 percent of the breeding mink in each color phase including all males in each color phase.

Statutory Authority: *MS s 35.03*

1705.2320 SUPERVISION.

Agents of the board may be present and supervise the collection of samples for any aleutian disease test. The board may request collection under its supervision of not to exceed 200 blood samples for testing at a time mutually agreed upon to check the disease status of the herd.

Statutory Authority: *MS s 35.03*

PSEUDORABIES CONTROL AND ERADICATION

1705.2400 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 1705.2400 to 1705.2530, the terms defined in this part have the meanings given them.

Subp. 1a. **All out status.** "All out status" describes a management method by which all swine on a premises have been marketed or otherwise disposed of and the structures that housed all the swine have been cleaned and disinfected or have been free of any swine for at least 30 days.

Subp. 1b. **Approved differential pseudorabies test.** "Approved differential pseudorabies test" means any test for the diagnosis of pseudorabies that:

- A. can distinguish vaccinated swine from infected swine;
- B. is produced under license from the United States Department of Agriculture for use in the pseudorabies eradication program;
- C. is conducted in a laboratory approved by the United States Department of Agriculture; and
- D. is approved by the board if it finds that it is appropriate for the detection of pseudorabies.

Subp. 1c. **Approved offspring segregation plan.** "Approved offspring segregation plan" means a plan by which swine are weaned and isolated from the herd of origin under the direction of and approval of the board.

Subp. 1d. **Approved premises.** "Approved premises" means a premises that has been inspected by board personnel and approved to feed out quarantined feeder pigs or light weight market hogs in isolation from other domestic animals and sell those pigs directly to slaughter, in compliance with part 1705.2434.

Subp. 2. **Board.** "Board" means the Board of Animal Health.

Subp. 3. **Breeding herd.** "Breeding herd" means a herd of breeding swine that have been maintained together for a minimum of 60 days.

The terms "swine," "pigs," and "hogs" are used interchangeably in parts 1705.2400 to 1705.2530.

Subp. 3a. **Breeding swine.** "Breeding swine" are swine of any age that are maintained for the purpose of producing offspring. This includes all intact boars and sows.

Subp. 3b. [Renumbered Subp. 3c, 18 SR 1222]

Subp. 3b. **Breeding swine sales center.** "Breeding swine sales center" means a swine facility where breeding swine are congregated for resale purposes.

Subp. 3c. **Feeder swine.** "Feeder swine" are immature swine that are bought, sold, loaned, or leased for feeding rather than breeding purposes until sold to slaughter. This does not include postparturient sows or intact boars.

Subp. 3d. **Finishing herd.** "Finishing herd" means a herd of feeder swine that have been maintained together for a minimum of 30 days on premises where there are no breeding swine.

Subp. 3e. **Herd.** "Herd" means any group of swine maintained on common ground for any purpose, or two or more groups of swine under common ownership or supervision, geographically separated, but which have an interchange or movement of animals without regard to whether the animals are infected with or exposed to pseudorabies. If a herd owner receives swine from or moves swine to an entity in which the herd owner has a material ownership interest, the entity must be considered part of the herd owner's herd for purposes of swine movement.

Subp. 4. **Infected herd.** "Infected herd" means a swine herd in which pseudorabies has been diagnosed in one or more animals by an official test, clinical diagnosis by a veterinarian, or laboratory diagnosis. The final determination of the herd status must be made by a state or federal district regulatory veterinarian.

Subp. 5. **Isolation.** "Isolation" means maintenance of swine in a manner that will ensure (1) that the swine have no physical contact with other domestic animals on the premises, and (2) that all drainage of organic waste is handled to prevent it from having contact with any other animals.

Subp. 5a. **Low-prevalence pseudorabies area.** "Low-prevalence pseudorabies area" means a state or area that is in Stage III, IV, or V of the national pseudorabies eradication program.

Subp. 5b. [Renumbered Subp. 7a, 18 SR 1222]

Subp. 5c. **Monitoring sample.** "Monitoring sample" means a herd sampling procedure as follows:

A. if breeding swine are present, and there are:

- (1) fewer than 11 breeding swine, test all;
- (2) 11 to 35 breeding swine, test ten; or
- (3) 36 or more breeding swine, test 30 percent or 30 head, whichever is

lower; or

B. if no breeding swine are present, and there are:

- (1) fewer than 11 feeder swine, test all; or
- (2) 11 or more feeder swine, test ten.

Subp. 5d. **Official pseudorabies herd cleanup plan.** "Official pseudorabies herd cleanup plan" means a plan to eliminate pseudorabies from a swine herd, developed by the board in consultation with the herd owner and the owner's veterinary practitioner, when applicable, that is mutually acceptable to those parties and then approved by the state animal health official.

Subp. 6. **Official pseudorabies test.** "Official pseudorabies test" means the serum neutralization test or other test defined as an "official pseudorabies test" by the United States Department of Agriculture which may be approved by the board if it finds that they are appropriate for the detection of pseudorabies. In approving additional tests the board shall consider scientific evidence of their reliability, the opinions of experts, experience with their use, their cost-effectiveness, and their hazards, if any.

Subp. 6a. **Official random sample test (95/10).** "Official random sample test (95/10)" means a herd sampling procedure that provides a 95 percent probability of detecting infection in a herd in which at least ten percent of the swine are positive for pseudorabies. Each segregated group of swine at a particular site must be considered to be a separate group and be sampled as follows:

- A. less than 100 head, test 25;
- B. 100 to 200 head, test 27;
- C. 201 to 999 head, test 28; and
- D. 1,000 or over, test 29.

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In each breeding herd, each parity must be included in the sample.

Subp. 6b. **Official random sample test (95/5).** “Official random sample test (95/5)” means a herd sampling procedure that provides a 95 percent probability of detecting infection in a herd in which at least five percent of the swine are positive for pseudorabies. Each segregated group of swine at a particular site must be considered to be a separate group and be sampled as follows:

- A. less than 100 head, test 45;
- B. 100 to 200 head, test 51;
- C. 201 to 999 head, test 57; and
- D. 1,000 or over, test 59.

In each breeding herd, each parity must be included in the sample.

Subp. 6c. **Owner’s notice of shipment.** “Owner’s notice of shipment” refers to the form provided by the board to the owners of all quarantined herds at the time of quarantine which is used to accompany the movement of quarantined animals.

Subp. 6d. **Program stages of the National Pseudorabies Eradication Program.** Five “program stages” are defined in the National Pseudorabies Eradication Program which classify states or areas in their progress toward complete eradication of the disease:

A. Stage I is the “Preparation” stage. This is the initial program stage in which the basic procedures to control and eradicate pseudorabies are developed.

B. Stage II is the “Control” stage. The goals of this stage are for a state or area to determine which herds are infected with pseudorabies and to begin herd cleanup.

C. Stage III is the “Mandatory Herd Cleanup” stage. In this stage, the cleanup of infected herds becomes mandatory. For a state or area to qualify for this stage, prevalence of pseudorabies infected herds must be less than one percent of the total swine herds in the state or area.

D. Stage IV is the “Surveillance” stage. For a state or area to qualify for this stage, there may be no known infected herds in the state or area.

E. Stage V is the “Free” stage. For a state or area to qualify for this stage, the state or area must have had no known infected herds for one year since the recognition of Stage IV status.

Subp. 7. [Repealed, 19 SR 925]

Subp. 7a. **Pseudorabies-monitored herd.** “Pseudorabies-monitored herd” means a herd that is in compliance with part 1705.2474.

Subp. 7b. **Qualified herd.** “Qualified herd” means “qualified negative gene-altered vaccinated herd” or “qualified pseudorabies-negative herd” unless specifically identified as one or the other.

Subp. 7c. **Qualified negative gene-altered vaccinated herd.** “Qualified negative gene-altered vaccinated herd” means a qualified pseudorabies-negative herd of swine in which pseudorabies vaccine is used.

Subp. 8. **Qualified pseudorabies-negative herd.** “Qualified pseudorabies-negative herd” means a herd of swine which has been free of pseudorabies for the previous 90 days, in which all swine over six months of age have been initially tested negative for pseudorabies, and for which the procedures in part 1705.2480 have been followed.

Subp. 8a. [Renumbered Subp. 1c, 18 SR 1222]

Subp. 9. **Quarantined herd.** “Quarantined herd” means an infected herd maintained on the quarantined premises so as not to have contact with animals belonging to other owners.

Subp. 10. **Restricted-movement swine.** “Restricted-movement swine” means breeding or feeding swine sold in Minnesota through a swine concentration point.

Subp. 11. **Slaughter-only market.** “Slaughter-only market” means a federally approved slaughter market for swine in which all swine moving through the facility are

consigned directly to a slaughter establishment or sold for direct reassignment to a slaughter establishment.

Subp. 12. **Swine concentration point.** "Swine concentration point" means a facility or location where swine are assembled for sale or resale for feeding, breeding, or slaughter purposes and where contact may occur between groups of swine from various sources. "Swine concentration point" includes, without limitation, a public stockyard, auction market, street market, state or federal market, untested consignment sales location, buying station, and livestock dealer's yard, truck, and facility.

Subp. 13. [Renumbered Subp. 6a, 18 SR 1222]

Subp. 14. [Renumbered Subp. 5d, 18 SR 1222]

Subp. 15. [Renumbered Subp. 3b, 18 SR 1222]

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *9 SR 201; 12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925; 23 SR 1484*

1705.2410 PSEUDORABIES TEST PROCEDURES.

Subpart 1. **Blood sample.** Blood samples drawn in administering an official pseudorabies test must be drawn by an accredited veterinarian, and serological tests must be conducted by a laboratory approved to conduct pseudorabies tests by the United States Department of Agriculture.

Subp. 2. **Identification.** Animals tested must be individually identified by eartag, tattoo, registration number, or standard ear notch. The identification number must be recorded on the test form.

Statutory Authority: *MS s 35.255*

History: *9 SR 201; 12 SR 1748*

1705.2420 DISEASE REPORTING.

When clinical or laboratory evidence indicates the presence of pseudorabies in an individual animal or herd, the veterinarian or laboratory shall report that diagnosis to the board within two business days.

Statutory Authority: *MS s 35.255*

History: *9 SR 201*

1705.2430 INFECTED HERD QUARANTINE AND DISPOSAL PROCEDURES.

Subpart 1. **Quarantine.** The board shall immediately quarantine a herd of swine that is affected with, shows symptoms of, or has been exposed to pseudorabies, as authorized by Minnesota Statutes, section 35.05. The board shall release quarantines of swine herds under part 1705.2440.

Livestock other than swine infected with pseudorabies must be quarantined. The board shall lift the quarantine ten days after the diagnosis of infection if there are no signs or symptoms of pseudorabies in the quarantined livestock.

Subp. 2. **Epidemiological investigation.** If species of animals other than swine have been diagnosed as having pseudorabies, the state or federal district veterinarian shall conduct an epidemiological investigation of any swine on the premises. The investigation must include blood testing of a monitoring sample of the swine herd. The owner shall pay the fees associated with this testing unless state funds are available for this purpose. If pseudorabies reactors are disclosed, the swine herd must be quarantined.

Subp. 3. **Permitted disposal.** Swine may only be removed from a quarantined herd or disposed of pursuant to item A, B, or C.

A. Market or breeding swine or other infected or exposed species may be sold for slaughter via a federally approved slaughter market, public stockyard, packer buying station, or directly to a slaughter plant accompanied by an owner's notice of shipment.

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B. Feeder pigs may be sold, loaned, leased, or moved for custom/contract feeding to an approved premises and must be accompanied by an owner's notice of shipment.

C. A quarantined swine herd may be sold to another owner only with the permission of the board and only if the buyer agrees to:

(1) maintain them at the same place where the herd was quarantined; and

(2) sign an approved official pseudorabies herd cleanup plan.

Subp. 4. Movement to another location. Quarantined swine that remain within a quarantined herd may be moved from their farm of origin to another location only if all of the following conditions are met:

A. Swine may be moved only with the prior approval of the district veterinarian.

B. Swine may not be moved to a location which is within a Stage III area unless part of the herd was at this location when the original herd quarantine was issued or movement is part of an approved offspring segregation plan and the herd of origin is also located in the Stage III area.

C. Swine may not be moved to a location which is within a Stage IV or V county or area.

D. Swine may not be moved to a location which is within the northern zone unless movement is part of an approved offspring segregation plan and the herd of origin is also located in the northern zone.

E. Swine may not be moved to a location which is within two miles of a qualified herd unless part of the herd was at this location when the original herd quarantine was issued.

F. All of the swine that are moved except for those under an approved offspring segregation plan must be vaccinated for pseudorabies.

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *9 SR 201; 12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925*

1705.2434 APPROVED PREMISES PROCEDURES.

Subpart 1. Qualifications. No person may accept feeder swine from quarantined herds for purposes of feeding them out unless a permit is obtained from the board. A person seeking a permit must agree to provide the board's representative access during business hours to the premises and records required by this part. The operator of an approved premises must comply with the following requirements:

A. Swine on the premises must be maintained in isolation from other domestic livestock, fed out, and sent directly to slaughter.

B. No breeding swine may be maintained on the premises.

C. Swine must be maintained so that they do not come in contact with neighbors' livestock or expose neighbors' livestock to pseudorabies.

D. Feeder swine must be vaccinated for pseudorabies at the owner's expense on or before arrival at the approved premises. Vaccination records must be maintained for one year for inspection by board personnel.

E. Dead hogs must be disposed of according to chapter 1719 within 24 hours or held so that wildlife or other domestic animals cannot reach them.

F. Hogs must be sold directly to slaughter accompanied by an owner's notice of shipment as required in part 1705.2430, subpart 3, item A. One copy must be sent to the board.

G. Records of swine purchases and sales, including names of sellers and buyers, dates of purchase, and number of head, must be maintained in a timely manner

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and understandable form, retained for at least one year and made available for inspection by board personnel.

Subp. 2. **Location.** No approved premises may be established within the northern zone, or in a county in the southern zone that has been declared to be in Stage III, IV, or V of the national pseudorabies eradication program. Approved premises may not be established within a two mile radius of an existing qualified herd or a swine herd in the process of becoming a qualified herd as indicated by board records. Approved premises may not continue to operate as approved premises when the county in which the premises is located has been granted Stage III status in the national pseudorabies eradication program and has maintained this status for one year.

Subp. 3. [Repealed, 19 SR 925]

Subp. 4. **Annual renewal.** Approved premises permits must be renewed annually by the board, based upon an annual report of the district veterinarian for the district in which the premises is located. The permit must be renewed if the district veterinarian finds that the premises is and has been in compliance with the board's rules. The district veterinarian shall inspect approved premises on the complaint of any person or at the board's direction. The board may suspend or cancel the permit of approved premises for noncompliance with the requirements in this part. Whenever the permit of approved premises is suspended, canceled, or not renewed, the premises remains under pseudorabies quarantine until the quarantine is released under part 1705.2440.

Subp. 5. **Continued operation of approved premises.** Approved premises that have legally been established under this part must be permitted to continue to operate if a swine herd within two miles subsequently becomes a qualified herd.

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925; 23 SR 1484*

1705.2440 RELEASE OF QUARANTINE.

Subpart 1. **Methods.** Swine herd quarantine release may be accomplished by any of the methods in items A to E.

A. **Depopulation:** The entire herd may be sold to slaughter accompanied by an owner's notice of shipment. The premises must be cleaned and disinfected under the direction of the board. The quarantine must be released 30 days after completion of the cleaning and disinfection. If cleaning and disinfection are not done and the hog facility stands empty for 120 days, the quarantine may be released with approval of the board.

B. **Test and removal:** All swine positive to a pseudorabies serologic test must be removed from the premises. All breeding swine that remain in the herd and an official random sample (95/10) of grower-finishing swine over two months of age must be subjected to a pseudorabies serologic test and found negative 30 days or more after removal of swine positive to a pseudorabies serologic test.

C. **Official random sample:** All swine present on the date a quarantine was imposed must be removed from the herd and there must be no clinical signs in the herd for at least six months. Two successive official random sample (95/5) tests of the breeding herd, conducted at least 90 days apart, must be determined by the official pseudorabies epidemiologist to reveal no infection. Two successive official random sample (95/10) tests of progeny at least four months of age, conducted at least 90 days apart, must also be negative.

In finishing herds without any breeding swine, there must be two successive negative official random sample tests (95/10), conducted at least 90 days apart, on hogs over four months of age.

Herds removed from quarantine by the official random sample testing schedule must be tested negative by an official random sample (95/10) test one year after the quarantine is released.

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During Stage IV or V of the pseudorabies program, quarantine release by official random sample may not be used.

D. Offspring segregation: Under an approved offspring segregation plan, progeny of a quarantined herd may be moved to a premises different from that of the herd of origin, and themselves be quarantined. All of these pigs must be tested for pseudorabies no sooner than 30 days after the isolation. If 100 percent of these tests are negative for pseudorabies, the quarantine on the progeny herd must be released.

E. Other procedures: Quarantines of swine herds may be released by herd testing schedules in addition to those in this part if they are approved by the United States Department of Agriculture, are equally reliable and effective as the other methods in this part, and are consistent with the eradication goals of parts 1705.2400 to 1705.2520.

Subp. 2. **Vaccination titres.** When a tentative diagnosis of pseudorabies may be the result of a vaccination, an epidemiological investigation must be conducted. The epidemiological evaluation must be conducted under the direction of the district veterinarian and must include all the items in items A to D.

A. The herd owner shall submit a signed statement that the animal diagnosed as having pseudorabies was either vaccinated for pseudorabies or was the progeny of a vaccinated animal. The owner shall also state that, to the best of the owner's knowledge, she or he has not seen any indication of pseudorabies in the herd.

B. The attending veterinarian shall submit a signed statement that he or she has not seen signs or symptoms of pseudorabies in the herd.

C. Evidence must be submitted to document the use of pseudorabies vaccine in the herd. Acceptable evidence includes purchase records, owner vaccination request forms, or other reliable evidence that the owner has vaccinated the herd for pseudorabies.

D. A negative pseudorabies test must be conducted on a monitoring sample of swine.

Subp. 3. **Ten-day period for release.** A quarantine on livestock other than swine must be released ten days after the diagnosis or exposure if there are no signs or symptoms of pseudorabies in those livestock.

Subp. 4. **Owner's expense.** Pseudorabies tests conducted on a quarantined premises are at the owner's expense, unless state funds are available for this purpose.

Subp. 5. **Veterinarian determines quarantine release.** A state or federal regulatory veterinarian must make the final determination on quarantine release.

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *9 SR 201; 12 SR 1748; 15 SR 1013; 17 SR 1279; 18 SR 1222; 19 SR 925; 23 SR 1484*

1705.2450 PSEUDORABIES TRACE TO SOURCE OR DESTINATION HERDS.

Subpart 1. **Information furnished.** The owner of a herd in which pseudorabies has been diagnosed shall furnish the following information to the board:

A. a list of sources of purchases of feeder or breeding swine during the preceding six months; and

B. a list of sales of feeder or breeding swine during the preceding six months.

Subp. 2. **Pseudorabies diagnosed in recently purchased swine.** If pseudorabies is diagnosed in breeding or feeder swine which have been purchased from or sold to another swine producer within the preceding six months, the board shall require a pseudorabies test of a monitoring sample of the herd of the seller or buyer.

Subp. 3. [Repealed, 19 SR 925]

Subp. 4. **Owner's expense.** Testing pursuant to subpart 2 must be done at the swine owner's expense, unless state funds are available for this purpose.

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *9 SR 201; 12 SR 1748; 18 SR 1222; 19 SR 925*

1705.2460 INTRASTATE MOVEMENT OF BREEDING SWINE.

Subpart 1. **Requirements for movement.** Except for movement to another location within the same swine herd, or movement directly to slaughter, breeding swine moving from their premises of origin must:

A. be accompanied by a certificate of veterinary inspection or pseudorabies test chart; and

B. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association; and

C. be negative to an official or approved differential pseudorabies test conducted within 30 days prior to movement, or originate from a qualified pseudorabies-negative herd or a qualified negative gene-altered vaccinated herd or a Stage IV or V county or area.

Subp. 2. **Restricted-movement classification.** Breeding swine sold through a swine concentration point are restricted-movement breeding swine.

Subp. 3. **Restricted-movement identification.** Restricted-movement breeding swine must be identified at the swine concentration point pursuant to subpart 1.

Subp. 4. **Restricted-movement certificate.** Restricted-movement breeding swine must be moved from the swine concentration point to the herd of destination accompanied by a certificate explaining the restricted-movement breeding swine status. A copy of this restricted-movement certificate must be retained for two years at the swine concentration point and one copy must be submitted to the board. At the herd of destination they must be maintained in the herd until they have farrowed and then must be sold for slaughter. Restricted movement breeding swine may not be resold for breeding purposes except pursuant to subpart 7.

Subp. 5. **Restricted-movement breeding swine purchased for resale.** Restricted-movement breeding swine purchased at a swine concentration point by a livestock dealer for resale purposes must be:

A. maintained separately from other swine until resold;

B. accompanied to the farm of destination by a document explaining the restricted-movement breeding swine status; and

C. maintained on the farm of destination, farrowed, and sold in the manner set forth in subpart 4.

Subp. 6. **Sale of restricted-movement breeding swine.** Restricted-movement breeding swine may be sold for slaughter as cull sows or boars through any livestock marketing channel. They may not, however, be sold through a marketing facility at which breeding stock is sold unless the facility maintains separate chutes, pens, and scales for breeding swine.

Subp. 7. **Removal of restricted-movement classification.** The restricted-movement breeding swine classification may be removed from swine by a negative pseudorabies test conducted at least 30 days after movement of the swine through the swine concentration point.

Subp. 8. **Other restricted-movement swine.** All swine which are maintained in contact with restricted-movement breeding swine in the herd of destination are also restricted-movement swine.

Swine classified as restricted-movement swine because of exposure to restricted-movement breeding swine may not be resold except to slaughter unless they are tested negative to pseudorabies pursuant to subpart 7.

Subp. 8a. **Movement into northern zone.** Only breeding swine that have had a negative pseudorabies test within the last 30 days or have originated from a qualified herd or a Stage IV or V county or area may be moved into the northern zone.

Subp. 8b. **Sale of swine semen and embryos.** Except for movement to another location within the same swine herd, swine semen and embryos moving from their premises of origin for insemination of swine or implantation into swine must be accompanied by a document issued by an accredited veterinarian stating that the donor swine are not known to be infected with or exposed to pseudorabies, were negative to a pseudorabies test within 30 days prior to the collection of the semen or embryos or were members of a qualified pseudorabies-negative or qualified negative gene-altered vaccinated herd or herd within a Stage IV or V county or area, and had not been exposed to pseudorabies within 30 days prior to the collection of the semen or embryos.

Subp. 9. [Repealed, 19 SR 925]

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *9 SR 201; 12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925; 23 SR 1484*

1705.2470 INTRASTATE MOVEMENT OF FEEDER PIGS.

Subpart 1. [Renumbered Subp. 1d, 18 SR 1222]

Subpart 1. **Requirements for movement.** Feeder swine moving from the premises of origin must be tested negative for pseudorabies within 30 days prior to movement or originate from a:

- A. pseudorabies-monitored herd;
- B. qualified pseudorabies-negative herd;
- C. qualified negative gene-altered vaccinated herd; or
- D. Stage III, IV, or V low-prevalence pseudorabies area.

Subp. 1a. **Proof of origin.** Proof of the status or location of the herd of origin of all feeder pigs sold through a swine concentration point must be submitted to the sales management by the owner or the dealer who brings them in for sale.

Subp. 1b. **Feeder pig identification.** All feeder pigs sold must be identified with a metal eartag, legible pseudorabies-monitored herd number ear tattoo, legible pseudorabies-monitored herd number shoulder slap tattoo, or eartag imprinted with the monitored herd number assigned to that herd.

Subp. 1c. **Prevention of exposure.** While in transit through marketing channels, all feeder pigs from monitored herds must be maintained so that they are not exposed to swine of unknown pseudorabies status or maintained in facilities or trucks contaminated by those swine. Failure to do so causes them to lose their monitored status.

Subp. 1d. **Restricted-movement classification.** All feeder pigs sold in Minnesota through a swine concentration point must be classified as restricted-movement feeder pigs. Restricted-movement feeder pigs are not eligible for resale through a second swine concentration point except as provided in subpart 4.

Subp. 2. [Repealed, 18 SR 1222]

Subp. 2a. [Repealed, 19 SR 925]

Subp. 3. **Restricted-movement certificate.** Restricted-movement feeder pigs must be moved from the swine concentration point to the herd of destination accompanied by a certificate explaining the restricted-movement feeder pig status. A copy of this restricted-movement certificate must be retained for two years at the swine concentration point and one copy must be submitted to the board. At the herd of destination all restricted-movement feeder pigs must be maintained in isolation from breeding swine until they are sold for slaughter. They may not be used for breeding purposes or resold for breeding purposes except pursuant to subpart 6.

Subp. 4. **Restricted-movement feeder pigs purchased for resale.** Restricted-movement feeder pigs purchased at a swine concentration point by a livestock dealer for resale purposes must be:

- A. maintained separately from other swine until resold;
- B. accompanied to the farm of destination by a restricted movement certificate; and
- C. maintained on the farm of destination, fed out, and sold pursuant to subpart 5.

Subp. 5. **Sale of restricted-movement feeder pigs.** Restricted-movement feeder pigs may be sold as market hogs through any livestock marketing channel. They may not, however, be sold through a marketing facility at which breeding stock or pseudorabies-monitored feeder pigs are sold unless the facility maintains separate chutes, pens, and scales for breeding swine and pseudorabies-monitored feeder pigs.

Subp. 6. **Removal of restricted-movement classification.** The restricted-movement feeder pig classification may be removed from swine by a negative official random sample test (95/5) for pseudorabies conducted at least 30 days after movement of the swine through the swine concentration point.

Subp. 7. **Resale of feeder pigs.** Except for restricted movement feeder pigs, feeder swine may be resold and moved from the herd of the buyer for further feeding if one of the following conditions is met:

- A. the herd is found to be negative for pseudorabies using an official random sample test (95/10) within 30 days prior to the movement; or
- B. the herd is located in a Stage III, IV, or V county and the feeder swine originate directly from a Stage III, IV, or V county.

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *9 SR 201; 12 SR 1748; 18 SR 1222; 19 SR 925; 23 SR 1484*

1705.2472 NORTHERN AND SOUTHERN ZONES.

Subpart 1. **Zoning of state.** For purposes of controlling the spread of pseudorabies and eradicating the disease, the state is divided into two zones, a northern zone and a southern zone. The northern zone includes the counties of Washington, Ramsey, Hennepin, Wright, Meeker, Kandiyohi, Chippewa, Swift, Big Stone, and all counties to the north of them. The southern zone includes all counties not included in the northern zone.

- Subp. 2. A. [Renumbered 1705.2470, subpart 1]
- B. [Repealed by amendment, 18 SR 1222]
- C. [Renumbered 1705.2470, subpart 1a]
- D. [Renumbered 1705.2470, subpart 1b]
- E. [Renumbered 1705.2470, subpart 1c]
- F. [Renumbered 1705.2460, subpart 8a]

Subp. 3. [Repealed, 19 SR 925]

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925*

1705.2474 PSEUDORABIES-MONITORED HERD PROCEDURES.

Subpart 1. **Attaining monitored status.** In order for a herd to attain a pseudorabies-monitored herd status, a monitoring sample of the herd must test negative for pseudorabies. Testing must be done at the owner's expense unless state funds are available for this purpose.

Subp. 2. **Proof of herd status.** All swine producers or dealers selling feeder pigs in Minnesota shall provide to the buyer proof of the pseudorabies-monitored status of the herd of origin upon request. That proof must include one of the following:

- A. a current pseudorabies-monitored herd identification card or other proof of a current herd monitoring test;
- B. a qualified pseudorabies-negative herd number;
- C. a qualified negative gene-altered vaccinated herd number; or
- D. proof that they originated directly from a Stage III, IV, or V area.

Subp. 3. **Annual remonitoring.** All herds must have an annual negative test of a monitoring sample of the herd on a date within 30 days of the anniversary date of the original monitoring test as required in subpart 1. The annual remonitoring may be discontinued when the area in which the herd is located becomes a Stage III, IV, or V area and surveillance programs are in place that do not require on-farm monitoring.

For finishing herds that have completed an initial monitoring test, confirmation of all out status for the herd may be accepted in lieu of an annual remonitoring test. The all out status must be confirmed in writing to the board.

Subp. 4. [Repealed, 18 SR 1222]

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925*

1705.2476 PSEUDORABIES SURVEILLANCE AND CONTROL OF SPREAD.

Subpart 1. **Purpose.** The surveillance and control programs in this part are designed to identify pseudorabies infected herds, control spread of the disease, and eradicate pseudorabies from Minnesota.

Subp. 2. **Slaughter plant surveillance.** The board shall cooperate with the United States Department of Agriculture in the pseudorabies testing of cull boars or sows at all slaughter plants and in the identification of their herds of origin. All herds determined to be pseudorabies-positive must be quarantined under parts 1705.2430 to 1705.2450.

Subp. 3. [Repealed, 18 SR 1222]

Subp. 4. **Circle testing around all new qualified herds.** The board shall require a test of a monitoring sample of swine in herds within a one and one-half mile radius of all new Minnesota qualified pseudorabies-negative or qualified negative gene-altered vaccinated herds. At the time of the circle testing, qualified or monitored herds that have been tested within the last year need not be retested.

If positive titres are disclosed on this test, the herd must be considered to be an infected herd and must be quarantined. This circle testing must be done at state expense if the funds are available.

Subp. 5. **Cleanup of herds disclosed to be positive near qualified herds.** All herds that are disclosed to be pseudorabies-positive within a one and one-half mile radius of all qualified herds must:

- A. begin a board-approved official pseudorabies herd cleanup plan within 90 days of the date of quarantine and vaccinate all breeding swine with an approved pseudorabies vaccine on a continuing basis; and
- B. vaccinate all feeder pigs coming into finishing herds.

Subp. 6. **Circle testing around quarantined herds.** The board shall require a test of a monitoring sample of swine in herds within a one and one-half mile radius of all new quarantined herds.

At the time of the circle testing, qualified or monitored herds that have been tested within the last year need not be retested. If positive titres are disclosed on this test, the herd must be considered an infected herd and placed under quarantine. This testing must be done at state expense if the funds are available.

Subp. 7. **Mandatory herd monitoring.** As part of the national pseudorabies eradication program, all swine herds in Minnesota must be annually monitored pursuant to part 1705.2474, at the owners' expense unless state funds are available for this purpose. A monitoring sample of each herd must be tested.

The annual remonitoring may be discontinued when the area in which the herd is located becomes a Stage III, IV, or V area and surveillance programs are in place that do not require on-farm monitoring.

Subp. 8. **Quarantined herd cleanup.** The owners of all quarantined herds in Minnesota must sign an approved official pseudorabies herd cleanup plan within 30 days of the original quarantine date. Each herd cleanup plan must be updated every six months.

An official random sample test (95/5) of breeding swine and an official random sample test (95/10) of finishing swine in each quarantined herd must be completed at least every six months to assess the prevalence of pseudorabies infected swine in the herd.

Herd cleanup testing must be paid for by state or federal funds if the funds are available. If state or federal funds are not available, testing that is required in this part must be done at the owner's expense.

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925; 23 SR 1484*

1705.2480 QUALIFIED PSEUDORABIES-NEGATIVE HERD PROCEDURES.

Subpart 1. **Qualifications.** To qualify a herd for qualified pseudorabies-negative herd status:

- A. the herd must have been free of pseudorabies for the previous 90 days;
- B. all breeding stock six months of age or older must be negative to an official pseudorabies test;
- C. offspring over four months of age that are located on the same premises as the breeding herd must be negative for pseudorabies using the following testing schedule:

- (1) 10 head or less, test all;
- (2) 11 to 35 head, test 10; or
- (3) 36 or more head, test 30 percent up to a maximum of 30 head;

D. offspring over four months of age that are located on any premises different from that of the breeding herd must be negative for pseudorabies using an official random sample test (95/10); and

E. the herd owner must sign an agreement to comply with parts 1705.2400 to 1705.2530.

Subp. 2. **Qualified pseudorabies-negative herd certificate.** Following the receipt by the board of a report of the initial negative herd test and the signed herd agreement, the board shall issue a numbered qualified pseudorabies-negative herd certificate. The initial qualification is valid for 90 days or until the next scheduled requalification test.

Subp. 3. **Requalification testing.** The pseudorabies status of a qualified pseudorabies-negative herd must be maintained by having a negative official pseudorabies test of at least 20 percent of the breeding herd and a sample of offspring as described in subpart 1, item C, every 80 to 100 days.

All qualified pseudorabies-negative herds must use one of the following herd testing schedules:

A. To test on a quarterly schedule:

- (1) test 20 percent of the breeding herd every 90 days;
- (2) test offspring over four months of age that are located on the same premises as the breeding herd every 90 days using the following test schedule:

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- (a) 10 head or less, test all;
- (b) 11 to 35 head, test 10; or
- (c) 36 or more head, test 30 percent up to a maximum of 30 head;

and

(3) test offspring over four months of age that are located on any premises different than that of the breeding herd every 30 days using an official random sample test (95/10); or

B. To test on a monthly schedule:

(1) test seven percent, or complete an official random sample test (95/5) of the breeding herd every 30 days;

(2) test offspring over four months of age that are located on the same premises as the breeding herd every 30 days using the following test schedule:

- (a) 10 head or less, test all;
- (b) 11 or more head, test 10 head; and

(3) test offspring over four months of age that are located on any premises different from that of the breeding herd every 30 days using an official random sample test (95/10).

If the breeding herd or offspring are maintained on more than one premises, the appropriate percentage of the animals on each premises must be tested for each requalification.

Subp. 4. Qualification canceled, regained. The board shall cancel qualified pseudorabies-negative herd status if any swine show a positive test or are diagnosed as having pseudorabies, if herd additions are made contrary to subparts 5 and 6, or for failure to comply with subpart 3.

Swine herds which have lost their qualified pseudorabies-negative herd status may regain that status by being free of pseudorabies for a period of 90 days and by following the herd qualification procedure in subpart 1.

Subp. 5. Testing purchased additions. All purchased additions, except those purchased pursuant to subpart 6, must have a negative official test for pseudorabies within 30 days prior to movement, and must be isolated and retested negative with an official pseudorabies test at least 15 and within 45 days from the date of their arrival upon the premises.

Subp. 6. Additions from qualified herds. Additions may be purchased directly from a qualified pseudorabies-negative herd without isolation or testing.

Subp. 7. Swine returned to a qualified pseudorabies-negative herd. Swine returned to qualified pseudorabies-negative herds from exhibitions or which are otherwise commingled with swine from herds not qualified must be kept in isolation upon return for 15 days and have a negative official pseudorabies test before rejoining the herd.

Subp. 8. Sale from qualified pseudorabies-negative herd. Swine from a qualified pseudorabies-negative herd may be sold in Minnesota for breeding or feeding purposes without further testing or restriction of movement unless they are sold through a swine concentration point.

Subp. 9. Qualifications of breeding swine sales centers. Breeding swine sales centers, in which animals are collected from qualified herds or herds in Stage IV or V areas, must test ten percent or complete an official random sample test (95/5) of their hog inventory each month with a minimum of ten animals tested.

Statutory Authority: *MS s 35.03; 35.255; 35.73; 35.74; 35.75; 35.751; 35.76; 35.77; 35.78; 35.79; 35.80*

History: *9 SR 201; 12 SR 1748; 15 SR 1013; 18 SR 1222; 19 SR 925; 23 SR 1484*

1705.2482 [Repealed, 23 SR 1484]

1705.2490 [Repealed, 19 SR 925]

1705.2500 COMMUNITY NOTIFICATION.

Following the declaration of a quarantine or approval of approved premises status, the board shall notify owners of livestock located within a one-mile radius of the quarantined herd or approved premises.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 201; 12 SR 1748; 15 SR 1013; 19 SR 925*

1705.2510 [Repealed, 19 SR 925]

1705.2520 TRANSPORTATION OF PSEUDORABIES INFECTED OR EXPOSED ANIMALS.

Subpart 1. **Vehicles exposed.** All vehicles used as carriers for livestock known to be infected with or exposed to pseudorabies must:

A. contain a shipping permit or owners notice of shipment when quarantined livestock are being transported; and

B. be cleaned and disinfected pursuant to subpart 2 before being used for transportation of other livestock or livestock feed and feed ingredients.

Subp. 2. **Cleaning vehicle.** A vehicle must be cleaned by thorough removal of all litter, manure, and refuse, and disinfected by the use on partitions, floors, interior walls, and the vehicle chassis of a disinfectant approved by the United States Department of Agriculture.

Provision must be made for the disposition of all manure, litter, and refuse removed from vehicles into an area where other livestock cannot come in contact with it.

Statutory Authority: *MS s 35.255*

History: *9 SR 201; 12 SR 1748*

1705.2530 EXPERIMENTAL USE OF DIAGNOSTIC BIOLOGICAL PRODUCTS.

Notwithstanding the quarantine provisions of this chapter and parts 1720.0580 to 1720.0640, in order to promote and encourage the research on new diagnostic biological products, the board shall authorize the limited experimental use of diagnostic biological products for testing for pseudorabies if the use is part of a research project sponsored by the University of Minnesota, College of Veterinary Medicine. The research project must be conducted under conditions and limitations, including restrictions on swine movement, which the board determines are adequate to prevent the spread of disease.

No quarantine will be issued on pseudorabies-infected herds disclosed on tests conducted during a board-approved field research on biological products if:

A. all herds proposed to be tested during the research projects are identified to the board;

B. full disclosure of all test results from each research herd are promptly reported to the board; and

C. herd owners agree that swine from positive herds will only be sold to slaughter.

Statutory Authority: *MS s 35.255*

History: *9 SR 201*